

Members:
George Turner, Chair
Alfonso Ferguson Sr., Vice-Chair
Winton McHenry
Gregory Parks
Marva Lucas-Moore



Alternates:
Robert E Davis
Stacy Michael Long
Linda Amos
Quinsentina James

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

130 Gillespie Street
Fayetteville North Carolina 28301
(910) 678-7602

TENTATIVE AGENDA NOVEMBER 19, 2020 6:00 PM

A meeting of the Cumberland County Board of Adjustment is to be held on Thursday, November 19, 2020 at 6:00 p.m. in Hearing Room #3 of the Historic Courthouse at 130 Gillespie Street, Fayetteville, North Carolina. The agenda is as follows:

1. INVOCATION & PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. SWEAR IN STAFF
4. ADJUSTMENTS TO THE AGENDA
5. APPROVAL OF THE OCTOBER 22, 2020 MINUTES
6. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)
7. PUBLIC HEARING DEFERRALS/WITHDRAWALS

P20-03-C: CONSIDERATION OF A VARIANCE TO ALLOW A ZERO FOOT FRONT YARD SETBACK FOR A GARAGE, STORAGE SHED AND FENCE INSTEAD OF A REQUIRED MINIMUM THIRTY FEET SETBACK FOR PROPERTY LOCATED IN AN A1 AGRICULTURAL DISTRICT AND CONTAINING 0.74+/- ACRES, LOCATED AT 1062 PALESTINE ROAD, SUBMITTED BY CHARLES & SHEENA ANNAN (OWNERS).

8. POLICY STATEMENT REGARDING APPEAL PROCESS
9. PUBLIC HEARING(S):

P20-04-C: CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A BORROW SOURCE OPERATION IN AN A1 AGRICULTURAL DISTRICT ON 33.69 +/- ACRES, LOCATED AT 3778 GAINEY ROAD, SUBMITTED BY MICHAEL HARRIS ON BEHALF OF MURDOCK, LLC (OWNER) AND MICHAEL BLAKLEY ON BEHALF OF DRAFTING AND DESIGN SERVICES, INC. (AGENT).

10. DISCUSSION/UPDATE(S)
11. ADJOURNMENT

David Moon

From: charles annan <charlesannan2.0@gmail.com>
Sent: Wednesday, November 11, 2020 3:49 PM
To: David Moon
Subject: request to extend board meeting

Good Afternoon Sir,

I would like to request an extension to be heard at the Board meeting in Dec. I am asking for this so I have additional time to gather all my information to present to the board.

Thank you

Charles Annan

**CUMBERLAND COUNTY
BOARD OF ADJUSTMENT HEARING
OCTOBER 22, 2020**

SUBJECT: BOA CASE # P20-03-C -- Variance

REQUEST: Variance to allow a Zero-Foot front yard setback for three accessory buildings and a fence instead of required minimum fifty-foot setback, applicable to the southern 125 lineal feet along the eastern right-of-way easement line for Dreamland Drive.

<u>Exhibits</u>
A. Site Location
B. Site Plan (attached)
C. Site Survey (attached)
D. Existing Uses
E. Site Pictures (attached)
F. Future Land Use Map
G. Sec. 1104 District Standards (attached)
H. Variance Application (attached)

EXPLANATION OF THE REQUEST

The Property Owner of a parcel assigned an A-1 zoning district (Exhibit A) requests a variance to allow a zero-foot front yard setback instead of the required minimum fifty feet for the southern 125 feet along Dreamland Drive eastern right-of-way easement to accommodate two garages, a shed, and a privacy fence. Section 1104 of the Zoning Code establishes a minimum front yard setback of fifty feet for each of these structures. A 1,425 +/- sq. ft. garage and a 154 +/- sq. ft. shed have already been constructed as well as a wood-stockade privacy fence, all without the property owner obtaining a building permit from Cumberland County. The smaller garage (573 +/- sq. f.t.) was constructed before the current owner purchased the property in March 2011. Structures subject to the variance request appear in the site plan presented in the attached Exhibit B, Site Plan, (garages - # 1; shed # 2, and fence #3). The variance request only applies to these four structures and for the above listed floor area of the garage and metal shed.

Building Permits submitted to Cumberland County cannot be approved and issued to the property owner for the three structures not previously issued a building permit unless (1) a variance is granted by the BOA and (2) all three structures comply with the variance conditions. Dreamland Drive is a Class "C" private street and while the property lines go to the center of the private street, setbacks are measured from the right-of-way line per the Zoning Code.

PROPERTY INFORMATION

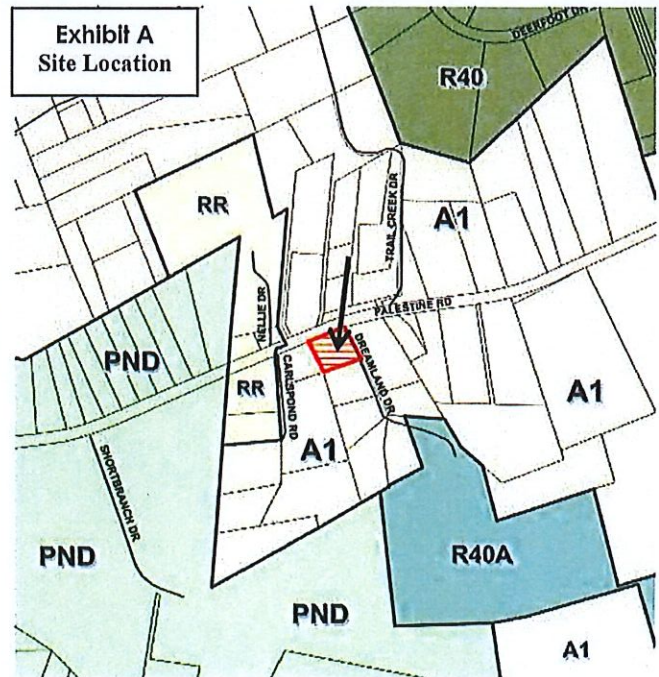
Owner/Applicant: Charles & Sheena Annan

Address/Location: 1062 Palestine Road (Exhibit A)

REID #: 0553537082000

Parcel Size: 0.74 acres within one parcel.
The property has approximately 196' of street frontage along Palestine Road and approximately 224' of street frontage along Dreamland Drive. The property is 224'+/- in depth. Exhibit C (attached) is the site survey illustrating the parcel size, dimension, and current building and structure locations.

Existing Land Use: The subject property is currently developed with a single-family dwelling unit and several accessory structures, as illustrated in Exhibit D



below, as well as pictures provided in Exhibit E (attached).

Zoning: A1 Agricultural

Other Site Characteristics: The property is not within the Special Flood Hazard Area. The property is within the watershed but is less than one acre. There are no soil limitations that restrict development on this site.

SURROUNDING LAND USE: Residential uses, including manufacture homes, are the predominate use in the surrounding area, as shown in Exhibit D.



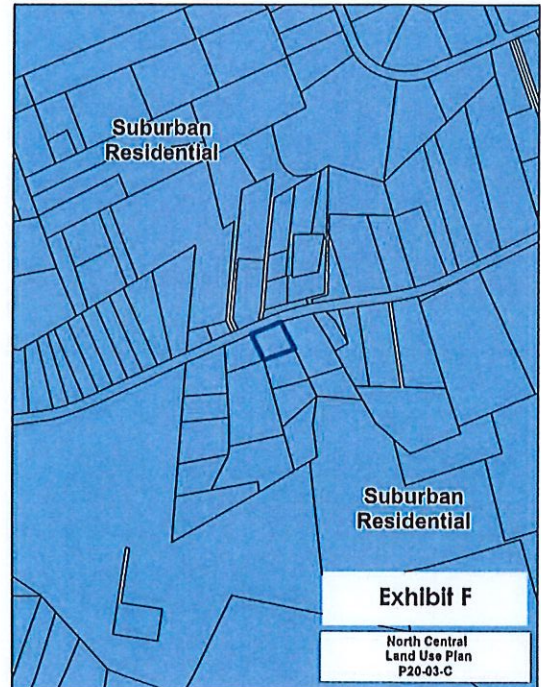
Development Review: This property was platted on Nov. 2, 1987 in Plat Book 63, Page 69.

Zoning History: This property was initially zoned A1 as part of the Area 15 initial zoning on December 17, 2001.

Utilities: This property is currently served by private well and septic. Electric power lines are located on the opposite side of Dreamland Drive.

Comprehensive Plans: The 2030 Growth Vision Plan designates this parcel for "Rural Area". The North Central Cumberland Land Use Plan (2011), as shown in Exhibit F, designates this parcel for "Suburban Residential". The "Suburban Density Residential" designation allows for residential development with a maximum of two units per acre.

Applicable Zoning Codes: Section 1104, A1 Zoning Standards (Exhibit G attached))



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

Traffic and Streets: The subject property is located outside of FAMPO boundaries. The Average Daily Traffic Count (2014) on Palestine Road is 790. The subject property is located at the intersection of Palestine Road and Dreamland Drive with them main driveway accessing Palestine Road. Extending a length of approximately 600 feet from Palestine Road, Dreamland Drive terminates as a dead-end. Only traffic generated from six single family homes impact Dreamland Drive.

SCHOOLS CAP/ENROLL: Long Hill Elementary: 460/486; Raleigh Rd Elementary: 220/238; Pine Forest Middle: 820/808; Pine Forest High: 1750/1577. The variance does not generate any impacts on public school enrollment.

EMERGENCY SERVICES: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshall had no comment on any concerns at this time.

FINDINGS OF FACT

Criteria that must be addressed for evaluation of a variance application originate from Section 1605 of the Zone Code and are listed below.

1. Unnecessary hardship would result from the strict application of the ordinance.
2. There are conditions peculiar to the property, such as location, size, or topography.
3. The special circumstances are not the result of the actions of the applicant.
4. The requested variance will be consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

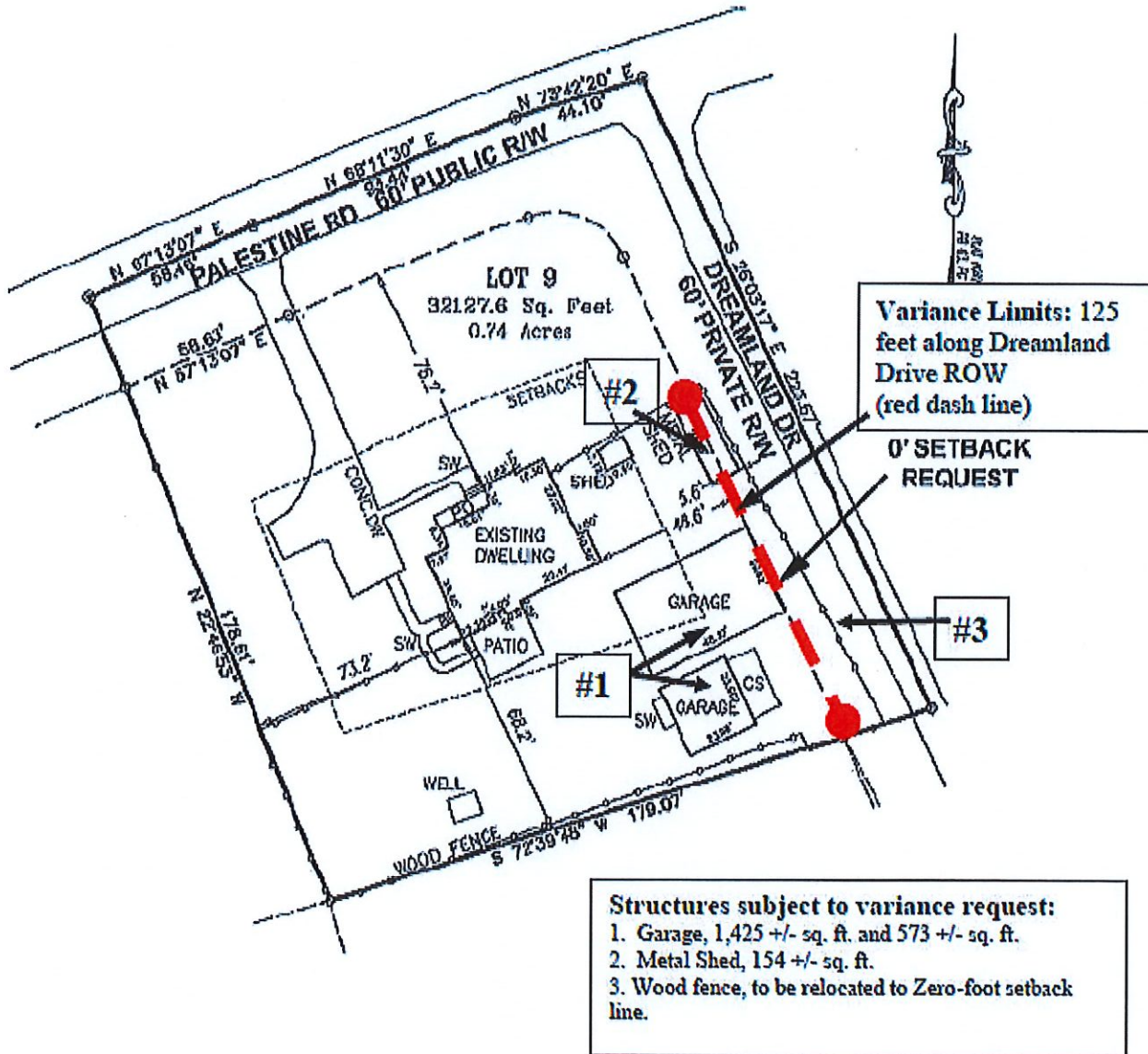
Applicant's Response to the above criteria were submitted with the application and is provided below:

"The fence is laid out and constructed in a manner that blends in visually in a low-key, unobtrusive manner with the surrounding. As such, it is clearly in harmony with the overall intents and purposes.

Additionally, the fence and existing building that this Variance is being requested for does not encroach or infringe on any neighboring residential properties, nor would it impose any hardship on any neighbors, nor would it serve to create a situation where any neighbor's quality of life, property value, or peaceful co-existence would be negatively affected. As a matter of fact, the proposed project would be an improvement to the neighborhood and result in an overall increase in property value and tax base created by improvements. The granting of such Variance will not be materially detrimental to the public welfare. The proposed Variance does no harm to either public or private interest and is not injurious to any property or interest."

Attachments:
Notification Mailing List

Exhibit "B"
Site Plan
(Case # P20-03-C-Variance)



BOARD OF ADJUSTMENT
VARIANCE

REQUEST: CONSIDERATION OF A VARIANCE TO ALLOW A 0 FOOT
FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED

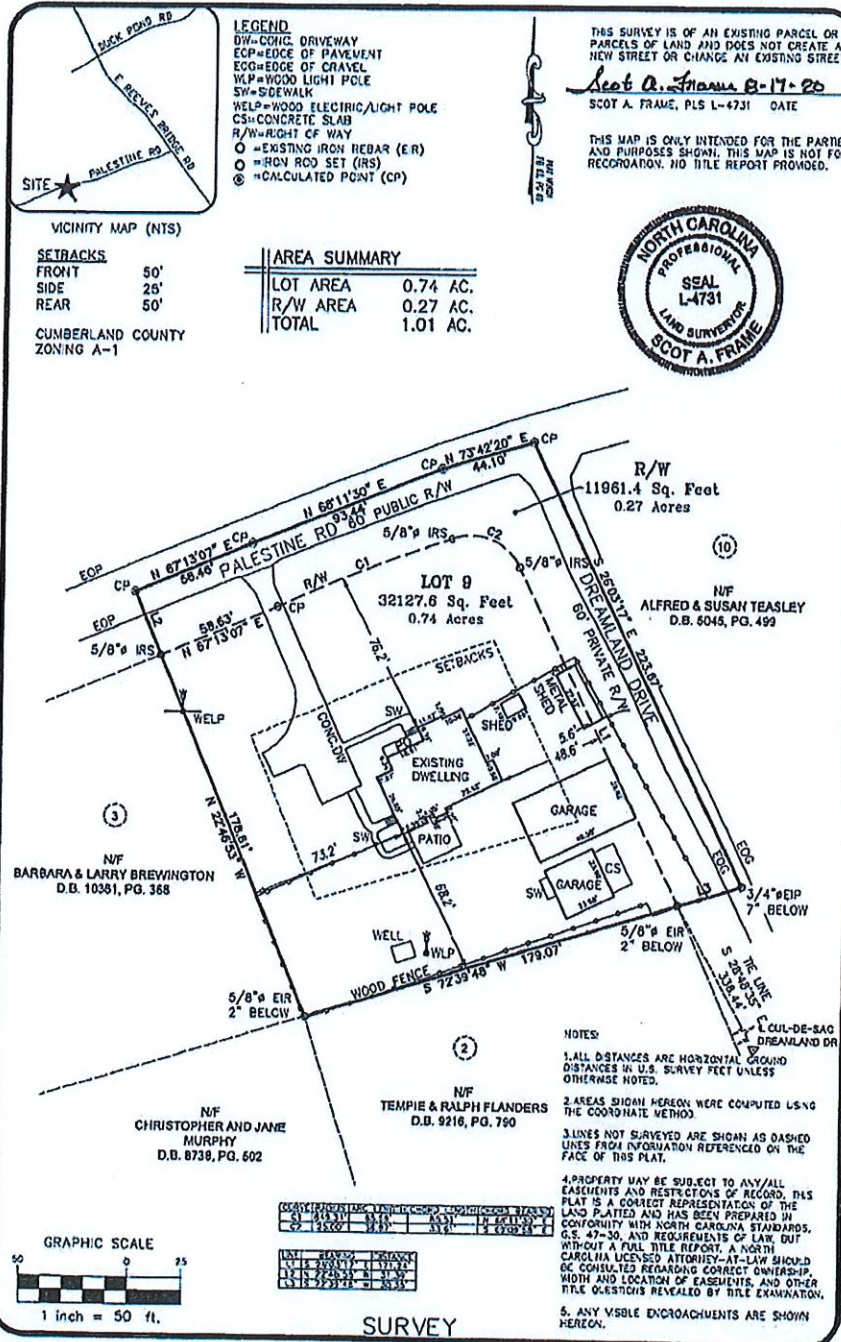
CASE: P20-03-C ACREAGE: 0.74 AC +/-

ZONED: A1 SCALE: NTS

***SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST**

EXHIBIT C

SITE SURVEY

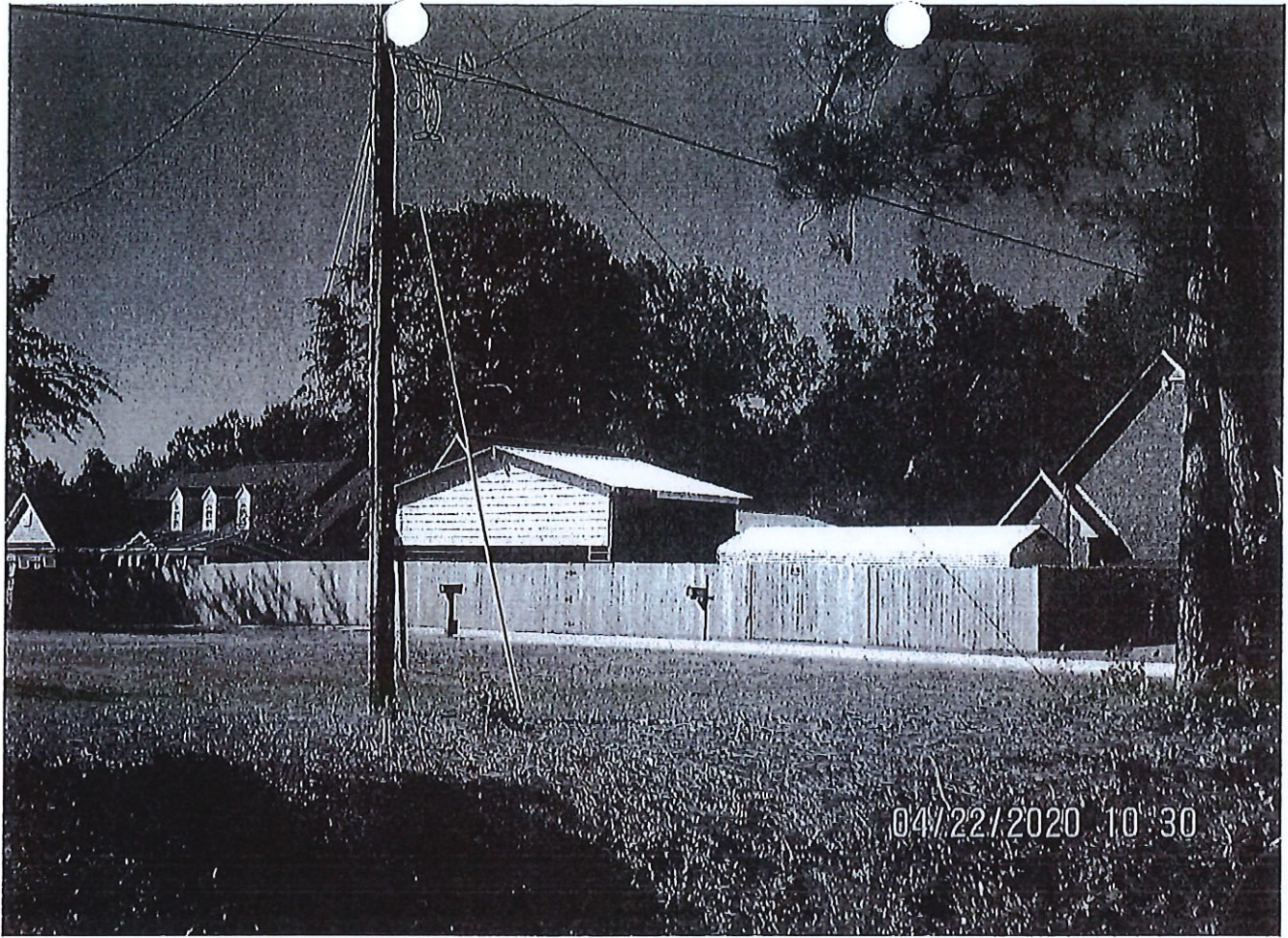


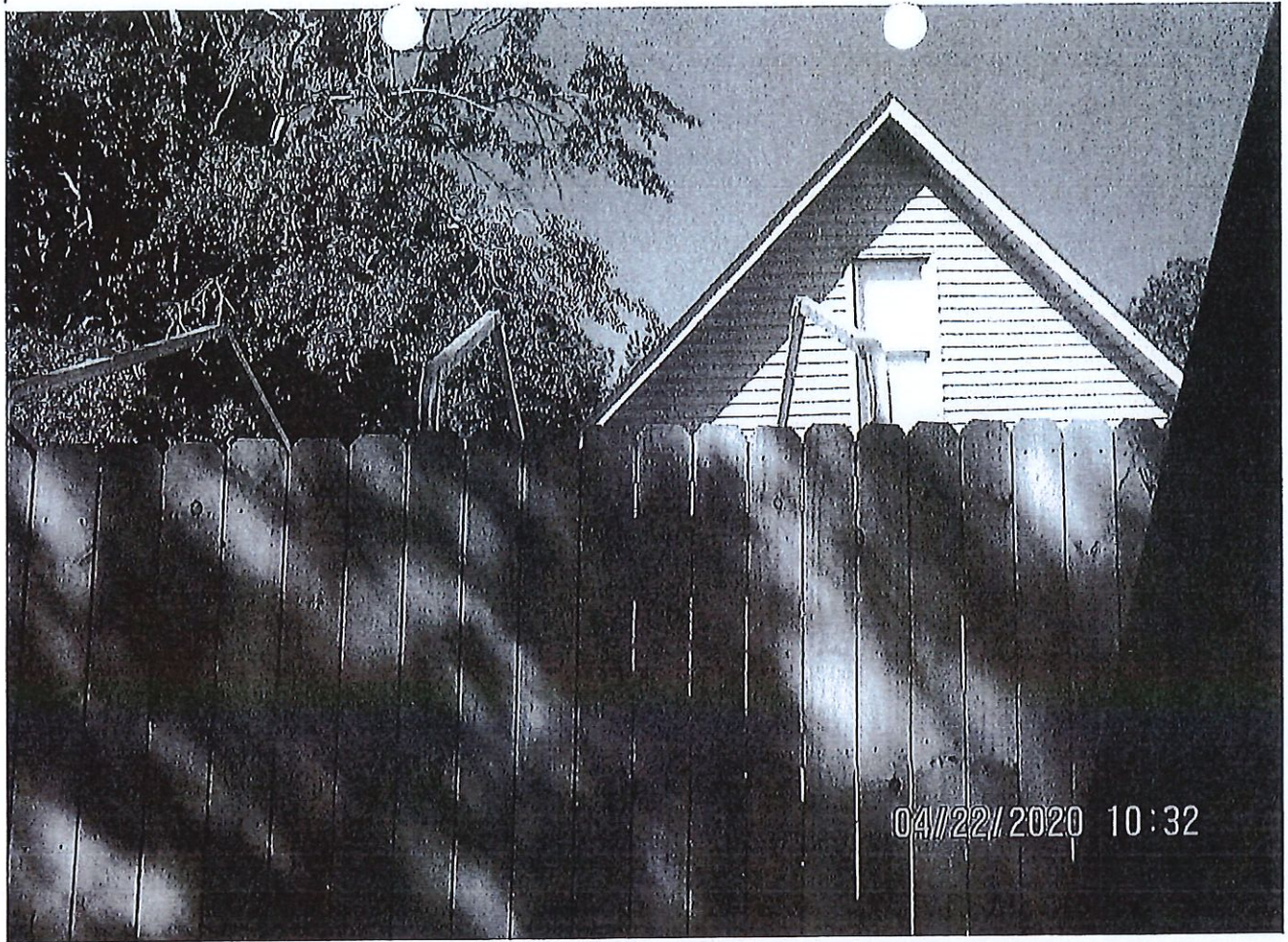
PROJECT:	20-349	FOR CHARLES & SHEENA ANNAN 1062 PALESTINE RD, UNDEN CARVERS CREEK TWP., CUMBERLAND CO., NC P.B. 63, PG. 69	 ECLS GLOBAL U.S. VETERAN OWNED 19 N MCKINLEY ST STATES, NC 27521 P10.897.3227 ECLS@GLOBAL.COM P10.897.2329 (FAX) CO#C-4178
DRAWN BY:	EDI		
SCALE:	1"=50'		
DATE:	08/17/2020		

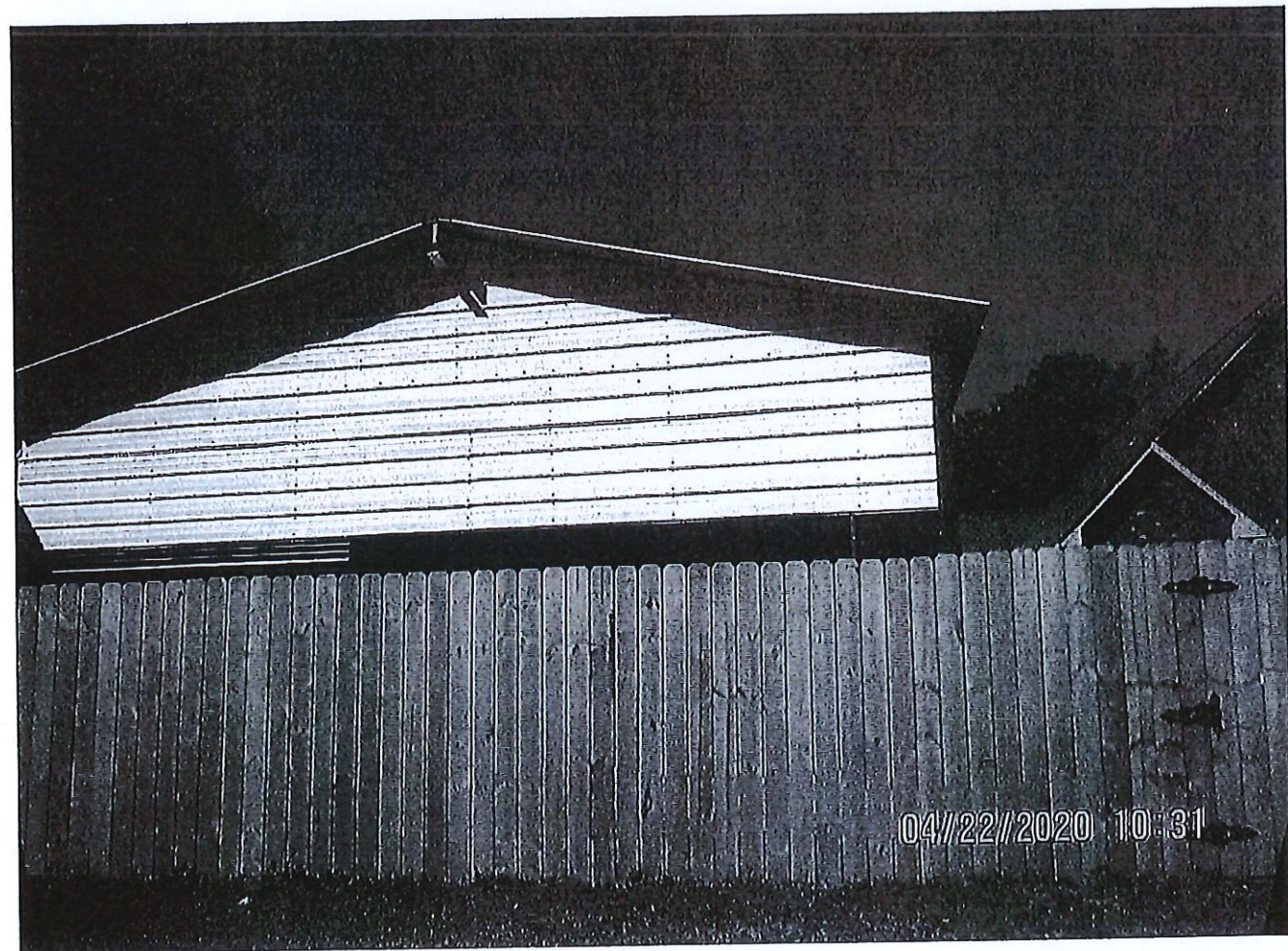
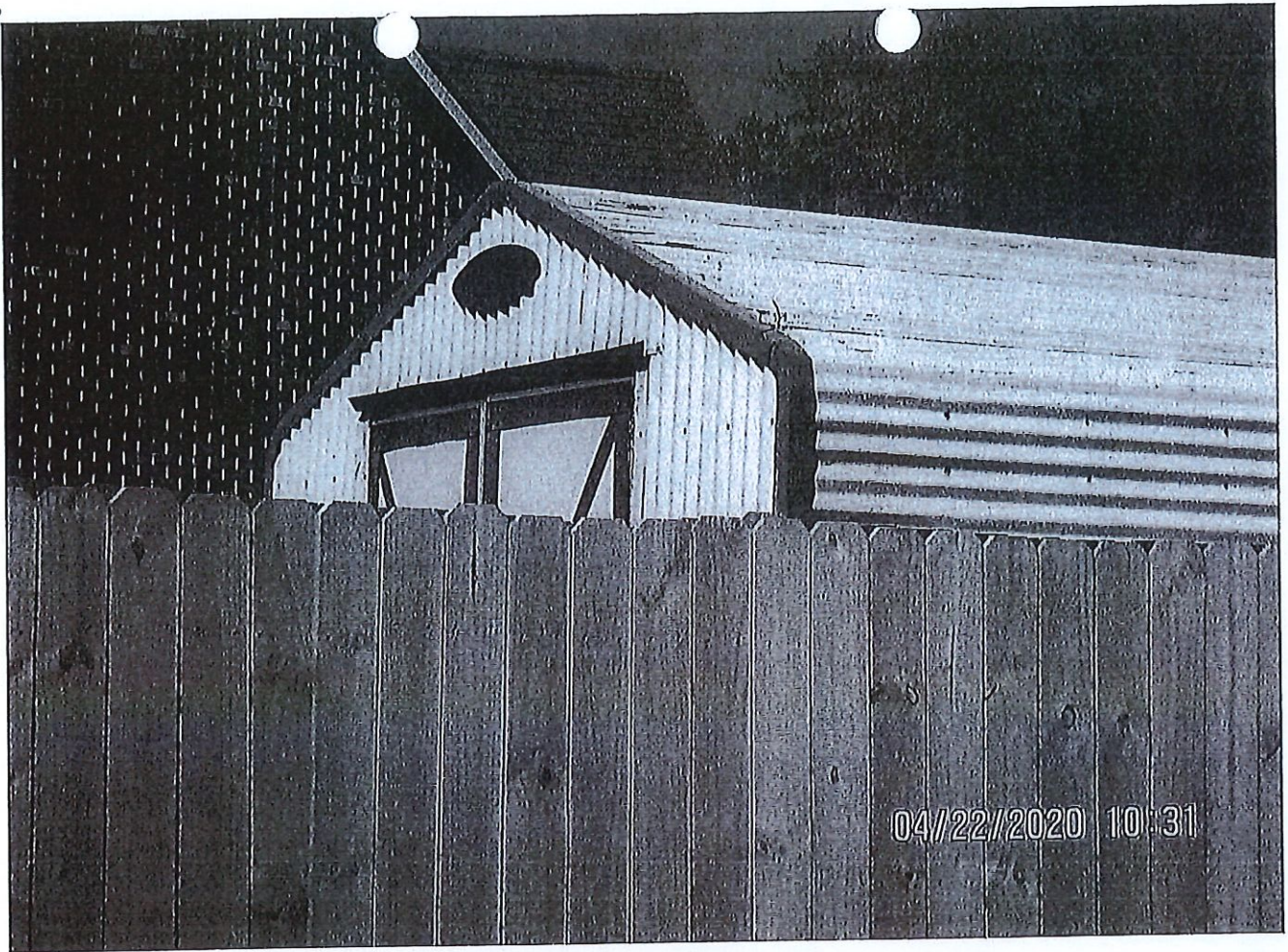
Not to scale

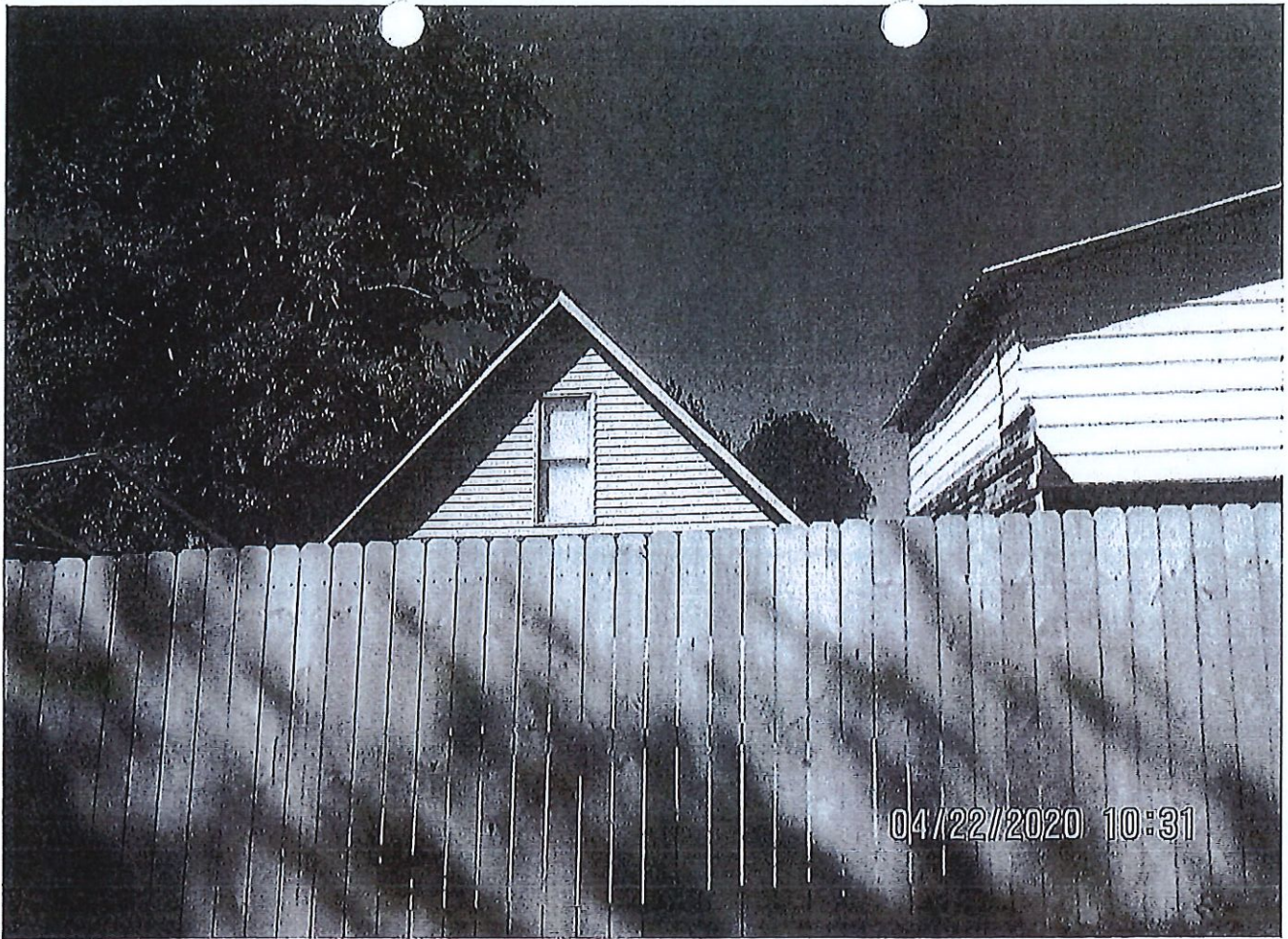
EXHIBIT E
SITE PICTURES

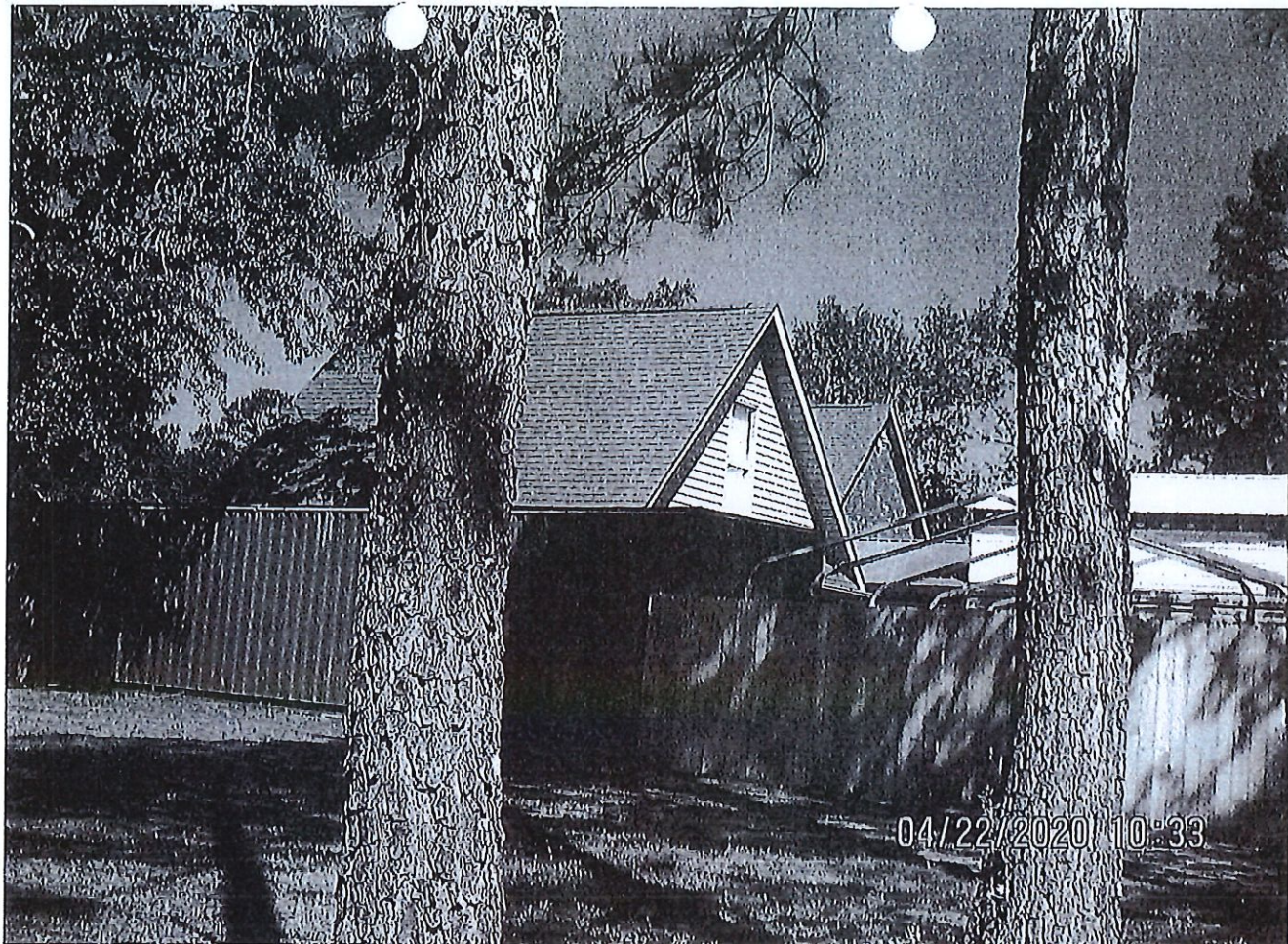
From : CODE ENFORCEMENT













1062 PALESTINE RD, LIN X Q

Show search results for 1062 P...

1700 sq ft house



EXHIBIT G

SECTION 1104, ZONING CODE

SECTION 1104. DISTRICT DIMENSIONAL PROVISIONS.¹

Except for the special provisions as previously noted in this article and any special provisions provided for elsewhere within this ordinance, the following district dimensional requirements shall be complied with:

DISTRICT	DENSITY ² (SQ. FT PER DWELLING)		UNIT (DU) FOR CONDOS & GROUP DEVELOPMENTS ³			WIDTH (In feet)	MINIMUM YARD SETBACK REGULATIONS ²				
	MINIMUM LOT SIZE (square feet unless otherwise stated)		1 st DU	2 nd , 3 rd , & 4 th DUs	5+ DUs		FRONT ⁵ YARD (measured from R/W line)	SIDE YARD (1 story) (2 story) (each add greater than 2 stories)	REAR YARD (In feet)		
A1 ³	2 acres	2 acres	2 acres	2 acres	2 acres	100	50	20	25	25ft/story	50
A1A ⁴	1 acre	1 acre	1 acre	1 acre	1 acre	100	50	20	25	25ft/story	50
R40	40,000	40,000	40,000	40,000	40,000	100	30	15	15	10ft/story	35
R40A	40,000	40,000	40,000	40,000	40,000	100	30	15	15	10ft/story	35
R30	30,000	30,000	30,000	30,000	30,000	100	30	15	15	10ft/story	35
R30A	30,000	30,000	30,000	30,000	30,000	100	30	15	15	10ft/story	35
R20	20,000	20,000	20,000	20,000	20,000	100	30	15	15	10ft/story	35
R20A	20,000	20,000	20,000	20,000	20,000	100	30	15	15	10ft/story	35
RR	20,000	20,000	20,000	20,000	20,000	100	30	15	15	10ft/story	35
R15	15,000	15,000	15,000	15,000	15,000	75	30	10	15	10ft/story	35
R7.5	7,500	7,500	7,500	7,500	7,500	75	30	10	15	8ft/story	35
R6	6,000	6,000	5,000	4,000	4,000	60	25	10	12	6ft/story	30
R6A ²	6,000	6,000	5,000	4,000	4,000	60	25	10	12	6ft/story	15 ⁶
R5A	5,000	3,000	3,000	3,000	3,000	60	25	10	12	4ft/story	30
R5	5,000	5,000	3,000	1,500	1,500	60	25	10	10	4ft/story	30

¹ All signs are regulated by Article XIII.

² Exceptions: See Section 1103 for special exceptions to this chart.

³ Minimum lot size for non-residential uses is one acre.

⁴ Maximum district size for rezoning request is 10 acres.

⁵ Exception: Aversboro Battlefield Viewshed Frontage (Section 1102 L)

⁶ See Section 1102 K for Rear Yard Exception for Manufactured Homes in the R6A District.
(Amd. 3-21-06; Amd. 11-20-06)

(Section 1104, District Dimensional Provisions – Continued)¹

MINIMUM YARD SETBACK REGULATIONS²

<u>DISTRICT</u>	<u>FRONT YARD</u> (feet)		<u>SIDE YARD</u> (feet)	<u>REAR YARD</u> (feet)
	Measured from R/W Line	Measured from Street Centerline		
CD	50	80	50	50
O&I(P)	35	65	15	20
C1(P)	45	75	15	20
C2(P)	50	80	30	30
C(P)	50	80	30	30
M1(P)	50	80	30	30
M(P)	100	130	50	50

¹ Exception: See Section 1103 for special exceptions to this chart.
² All signs are regulated by Article XIII.
(Amd. 02-19-08; Amd. 02-19-08)

EXHIBIT H
VARIANCE APPLICATION



County of Cumberland
BOARD OF ADJUSTMENT

CASE #: P20-03-C

CUMBERLAND COUNTY BOA
MEETING DATE: 10-15-20

DATE APPLICATION
SUBMITTED: 9-3-20

RECEIPT #: 75547

RECEIVED BY: EMD

**APPLICATION FOR
VARIANCE REQUEST**

The Cumberland County Board of Adjustment meetings are held on the third Thursday of each month in the Historic Courthouse, 130 Gillespie Street – Hearing Room 3. The Planning and Inspections Department will advertise the public hearing and a notice will be mailed or delivered to surrounding residents or property owners that may be affected by the proposed Variance request.

The Board of Adjustment is a quasi-judicial review board and all persons wishing to appear before this Board should be prepared to give sworn testimony on relevant facts. Applicants for Variances are encouraged to read Section 1605 “Variance” of the Zoning Ordinance to establish whether or not their case merits further consideration by the board (see next page).

The following items are to be submitted with the complete application:

1. A copy of the recorded deed and/or plat, or an accurate written legal description of only the area to be considered;
2. A copy of a detailed site plan drawn to an engineer scale; and
3. Cash or check payable to “Cumberland County” in the amount of \$ 200.00 (see attached Fee Schedule)

NOTE: Any revisions, inaccuracies or errors to the application or site plan may cause the case to be delayed and will be scheduled for the next available Board of Adjustment meeting according to the board’s meeting schedule. Also, the application fee is nonrefundable.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan.

MIA: N/A

AOD: N/A

5mile: N/A

**EXCERPT FROM
THE CUMBERLAND COUNTY ZONING ORDINANCE**

(PENDING ADOPTION)

Section 1605 VARIANCE

The Board of Adjustment may authorize in specific cases such variances from the terms of this Ordinance upon request of a property owner or his authorized agent and may require any evidence necessary to make determination of the case. Before the board may grant any Variance, the board must find that all of the following conditions exist for an individual case:

- A. Unnecessary hardship would result from the strict application of the ordinance.
- B. There are conditions peculiar to the property, such as location, size, or topography.
- C. The special circumstances are not the result of the actions of the applicant.
- D. The requested variance will be consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

In granting a variance, the board may attach and the record shall reflect such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable. The record shall also state in detail any exceptional difficulty or unnecessary hardship upon which the appeal was based and which the Board finds to exist.

Any variance granted becomes null and void if not exercised within the time specified in such approvals, or if no date is specified, within one calendar year from the date of such approval. The Board of Adjustment is not authorized to grant variances to a Special Use Permit or to a Conditional Zoning Permit allowed in Conditional Zoning Districts or to the specific conditions or other performance criteria imposed upon such uses.

BOARD OF ADJUSTMENT

LOCATION OF PROPERTY: Palastine Rd.

OWNER: Charles Annan & wife Sheena Annan

ADDRESS: 1062 Palastine Rd. Linden ZIP CODE: 28356

TELEPHONE: HOME 910-813-6851 WORK _____

AGENT: _____

ADDRESS: _____

TELEPHONE: HOME _____ WORK _____

E-MAIL: Charles annan 2.0@gmail.com

APPLICATION FOR A VARIANCE
As required by the Zoning Ordinance

A. Parcel Identification Number (PIN #) of subject property: 0553-53-7082
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 0.88 Frontage: 420' Depth: 179'

C. Water Provider: Well

D. Septage Provider: Septic

E. Deed Book 08601, Page(s) 0895-0896 Cumberland County

F. Existing and/or proposed use of property: Residential

G. Section and provision of the Zoning Ordinance or Code from which a Variance is requested: A-1

H. Nature and extent of hardship involved in strict application of the Zoning Ordinance or Code: See attached. A

Requesting - a zero-foot front yard setback instead of the required minimum fifty feet for the Southern 125 feet along Dreamland Drive to accommodate a garage, shed and privacy fence.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Charles Annan, Sheena R. Annan
NAME OF OWNER(S) (PRINT OR TYPE)

1062 Palestine Rd Linden nc 28356
ADDRESS OF OWNER(S)

Charlesannan20@gmail.com
E-MAIL

910-813-6851 HOME TELEPHONE # WORK TELEPHONE #

Charles Annan, Sheena Annan
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1062 Palestine Rd. Linden, nc 28356
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-813-6851 HOME TELEPHONE # WORK TELEPHONE #

Charles SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Annan
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

STATEMENT OF ACKNOWLEDGMENT

Regarding appearance before the Board of Adjustment, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all argument for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
- If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case;
- If the board's action is to deny the matter before them, the course of appeal to their decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from proper notification which to serve notice of appeal).

Signed acknowledgment that the County Planning Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above.

SIGNATURE OF OWNER(S) Charles R. Annan, Sheena R. Annan

PRINTED NAME OF OWNER(S) Charles Annan, Sheena R. Annan

DATE 3 Sep 2020

3 September 2020

Cumberland County Board of Adjustment
130 Gillespie Street
Fayetteville, NC 28301

Dear Cumberland County Board of Adjustment

This proposal letter is to request the grant of a Variance for the residence at 1062 Palestine Road in Linden. The Variance requested is for an existing building and fence located along Dreamland Drive, which is a Class C, private dirt road.

Property Fence

The petitioner requests a Variance allowing the preexisting ^{solid wood} fence to be on the property line on Dreamland Drive. We are asking for a Variance of 0 feet.

The fence is laid out and constructed in a manner that blends in visually in a low-key, unobtrusive manner with the surroundings. As such, it is clearly in harmony with the overall intents and purposes.

Existing Building

The petitioner requests a Variance allowing the already built building to stay on the property. We are asking for a Variance of 0 feet.

Additionally, the fence and existing building that this Variance is being requested for does not encroach or infringe on any neighboring residential properties, nor would it impose any hardship on any neighbors, nor would it serve to create a situation where any neighbor's quality of life, property value, or peaceful co-existence would be negatively affected. As a matter of fact, the proposed project would be an improvement to the neighborhood and result in an overall increase in property value and tax base created by improvements. The granting of such Variance will not be materially detrimental to the public welfare. The proposed Variance does no harm to either public or private interests and is not injurious to any property or interest.

Thank you for your consideration.

Respectfully,


Charles Annan

8601
0895

BK08601 PG0895

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS

FILED Mar 08, 2011
AT 12:57:00 pm
BOOK 08601
START PAGE 0895
END PAGE 0896
INSTRUMENT # 08060
RECORDING \$22.00
EXCISE TAX (None)
DJ

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: EXEMPT

Parcel Identifier No: 0553-53-7082 Verified by CUMBERLAND County on the _____ day of _____, 20__ By: _____

Mail/Box to: Thorp, Clarke & Neville RM- 1108-11 (759.827) - LN

Drawn by: Rogers Townsend & Thomas, PC (Atty: W. Chris Parnell) 2550 W. Tyvola Road, Charlotte, NC 28217
Brief description: Lot No. 9, Property of Carl Bowden, Plat Bk. 63, Pg. 69- CUMBERLAND County Registry

THIS DEED made this 6th day of January, 2011, by and between

GRANTOR

GRANTEE

FANNIE MAE a/k/a FEDERAL NATIONAL MORTGAGE ASSOCIATION organized and existing under the laws of the United States of America

Mailing Address: P.O. Box 650043, Dallas, TX 75265

CHARLES ANNAN AND WIFE, SHEENA ANNAN

Mailing Address: 1062 Palestine Road
Linden, NC 28356

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in CUMBERLAND County, North Carolina and more particularly described as follows:

BEING ALL OF LOT 9 AS SHOWN ON A PLAT ENTITLED "PROPERTY OF CARL BOWDEN SECTION TWO" AS RECORDED IN BOOK OF PLATS 63, PAGE 69, CUMBERLAND COUNTY REGISTRY, NORTH CAROLINA.

PROPERTY ADDRESS: 1062 PALESTINE ROAD, LINDEN, NC 28356

8601
0896

0808601 PG0896

The property hereinabove described was acquired by Grantor by instrument recorded in Book 8460 Page 65.

A map showing the above described property is recorded in Map Book 63 at Page 69.

This property IS NOT the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

Easements and Restrictions of record as may appear
Ad Valorem taxes for 2011

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION
organized and existing under the laws of the United States of America

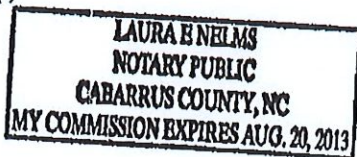
By and Through Its Attorney-in-Fact, Rogers, Townsend & Thomas, PC

By:  (Signature)
W. CHRIS PARNELL, Vice President

State of North Carolina – County Mecklenburg

I, the undersigned Notary Public of the County and State aforesaid, certify that W. Chris Parnell, Vice President of ROGERS, TOWNSEND & THOMAS, PC, said ROGERS, TOWNSEND & THOMAS, PC, being Attorney-in-Fact for FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION organized and existing under the laws of the United States of America, personally came before me this day and being duly sworn says that ROGERS, TOWNSEND & THOMAS, PC, and through its Vice President, W. Chris Parnell executed the foregoing and annexed instrument for and on behalf of FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION organized and existing under the laws of the United States of America, and that ROGERS, TOWNSEND & THOMAS, PC, authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in the Office of the Register of Deeds of CUMBERLAND County, North Carolina in Book 8426 at Page 700 and that this instrument was duly executed under and by virtue of the authority given by said instrument granting it Power of Attorney; that W. Chris Parnell acknowledged that he is Vice President of ROGERS, TOWNSEND & THOMAS, PC, and the due execution of the foregoing and annexed instrument is for the purpose therein expressed by its Vice President, W. Chris Parnell for and on behalf of the said ROGERS, TOWNSEND & THOMAS, PC, as attorney-in-fact for FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION organized and existing under the laws of the United States of America, and authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and official seal, this 6th day of January, 2011.
(Notarial Seal/Stamp)




Laura E. Nelms, Notary Public

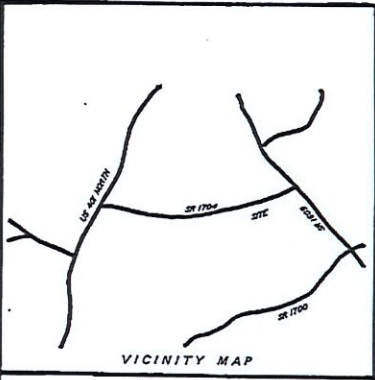
My Commission Expires: August 20, 2013

PROPERTY ADDRESS: 1062 PALESTINE ROAD, LINDEN, NC 28356

(N.P. SEAL)

1987

69



NORTH CAROLINA
CLARKELAND COUNTY
GEORGE L. LOTT
I, GEORGE L. LOTT, certify that this map was drawn under my supervision from an actual survey made under my supervision, deed and description recorded in Book 826, Page 413, that the ratio of precision as calculated by latitude and departures is 1 / 20,000 that the boundaries not surveyed are shown in broken lines plotted from information found in books referenced, that this map was prepared in accordance with G. S. 47-30 as amended. Witness my hand and seal this 30 day of OCT. A.D., 19 87

George L. Lott
Land Surveyor
Registration No. L-1379



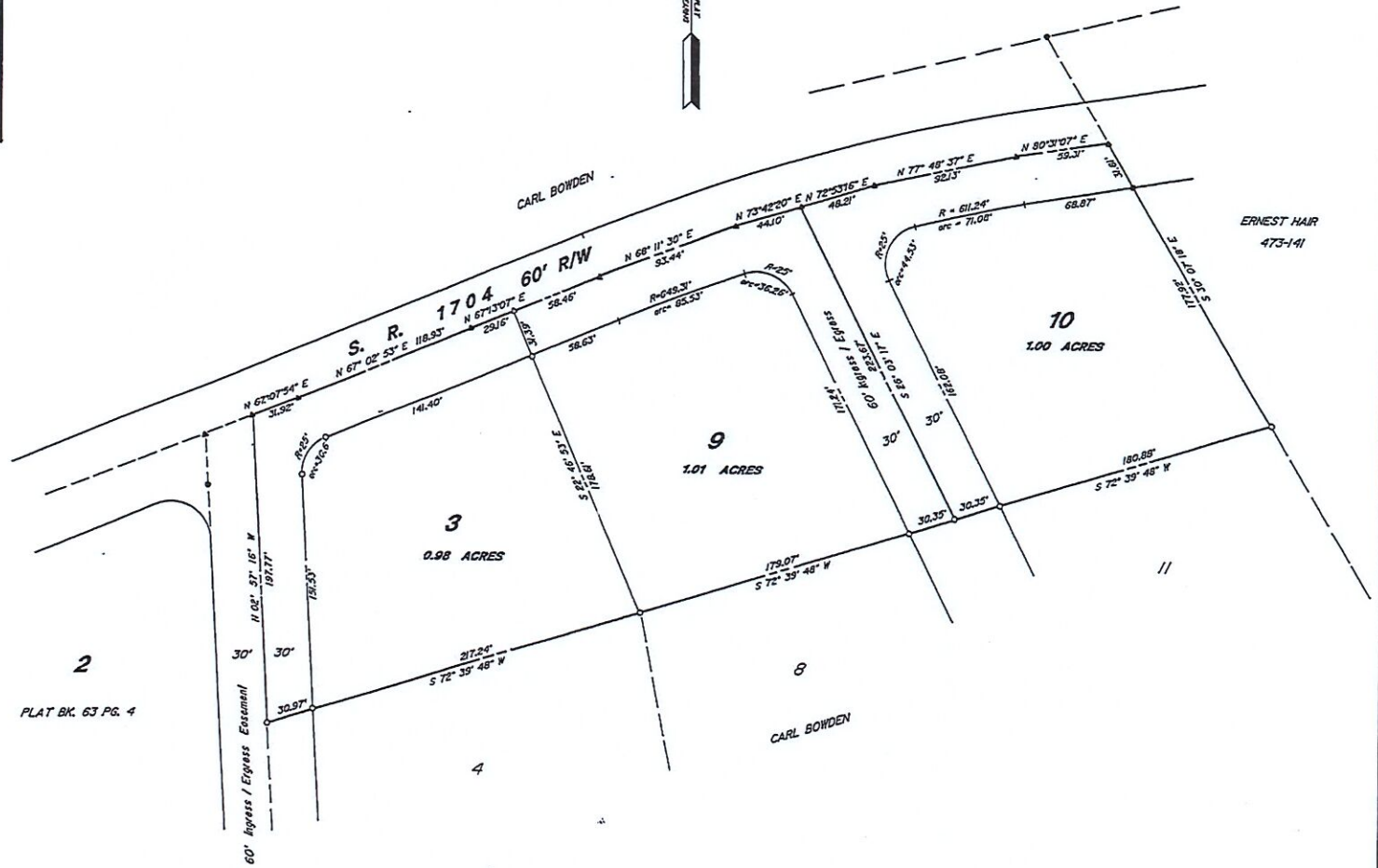
NORTH CAROLINA
CLARKELAND COUNTY
I, BETTY C. SWEAT, a Notary Public of the County and State aforesaid, certify that GL. LOTT, a registered land surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 30 day of OCT. 19 87.

Betty C. Sweat
Notary Public
My Commission expires MARCH 15, 1992.



NORTH CAROLINA
CLARKELAND COUNTY
The foregoing certificate of BETTY C. SWEAT Notary Public, is certified to be correct. This instrument was presented for registration and recorded in File Book 623, Page 629, this 11th day of OCT. 19 87 at 11:40 A.M.

GEORGE E. TATUM by Donna M. Hogg
Register of Deeds
Deputy



SECTION TWO

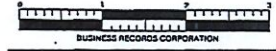
REVISIONS	PROPERTY OF <i>Carl Bowden</i>		COMPANY GEORGE L. LOTT SURVEYORS 1037 ANDREWS ROAD FAYETTEVILLE, NORTH CAROLINA 28301 488-9629		
	TOWNSHIP: CARVERS CREEK	COUNTY: CUMBERLAND	DATE: OCT. '87	SURVEYED BY: GLL	FIELD BOOK
	STATE: NORTH CAROLINA		SCALE: 1"=50'	DRAWN BY: GLL	DRAWING NO.
	ZONE:	TAX MAP:	PARCEL:	CHECKED & CLOSURE BY: GLL	



30th OCTOBER 87

63-69

SOURCE PHOTO - CALSUSCOG INTL



ATTACHMENTS

NAME	ADDRESS	CITY
ANNAN, CHARLES;ANNAN, SHEENA	1062 PALESTINE RD	LINDEN, NC 28356
BLACKMON, KEITH R.	8329 CHALLENGER DR	LINDEN, NC 28356
BREWINGTON, BARBARA F; LARRY	8092 WHITE SANDS RD	LINDEN, NC 28356
DAWKINS, POLLY H HEIRS	8329 CHALLENGER DR	LINDEN, NC 28356
FLANDERS, TEMPIE;FLANDERS, RALPH H	8025 DREAMLAND DR	LINDEN, NC 28356
HAIR, NATHAN EUGENE	8705 VILLAGE CROSSING	VAN BUREN, AR 72956
MURPHY, CHRISTOPHER;MURPHY, JANE	3228 HENNARDLAND PL	HOPE MILLS, NC 28348
TEASLEY, ALFRED G;TEASLEY, SUSAN ANN	1092 PALESTINE	LINDEN, NC 28356

**CUMBERLAND COUNTY
BOARD OF ADJUSTMENT (BOA) HEARING
NOVEMBER 19, 2020**

SUBJECT: BOA CASE # P20-04-C – Special Use

REQUEST: Special Use Permit to allow a borrow source operation in an A1 Agricultural District on 33.69 +/- acres at 3778 Gainey Road.

Exhibits

- A. Site Location
 - B. Use Matrix, Sec. 403, Zoning Code. (*)
 - C. Sec. 904 Response (*)
 - D. Special Use Site Plan (*)
 - E. Existing and Adjacent Uses
 - F. South Central Land Use Plan
 - G. Draft Gainey Road Special Use Permit Attachments: Application
- (*) attached to the report.

EXPLANATION OF THE REQUEST

Applicant and Property Owner request the BOA grant a Special Use Permit for a borrow source operation on the south side of Gainey Road (Exhibit "A") at property assigned an A1 zoning category. This request applies to one parcel and a portion of another for a combined total of approximately 33.69 acres. Both parcels are under the same ownership. Per Section 403, Use Matrix, Zoning Code, a borrow source operation is only allowed at a property assigned an A1 zoning category when the BOA has approved a special use permit (Exhibit B attached) that meets the requirements of Sections 904, Borrow Source Operations, and 1606, Special Use Permit, of the Zoning Code.

Pursuant to the County Zoning Code, a "borrow source operation" is defined as the removal of soil, sand or other soil materials, with further processing limited to dry screening to remove roots, trash, objectionable and other deleterious material. The provisions of this ordinance shall not apply to bona fide farming activities, operations subject to North Carolina Department of Transportation contractual agreements, or jurisdiction for the duration of the contract only, and any operations exempt from the State Mining Commission's regulations. These exemptions shall apply in all zoning districts." (Section 904, Zoning Code)

A borrow source operation must comply with requirements set forth in Section 904 of the County Zoning Code. The applicant must demonstrate that the proposed borrow source operations shall comply with these requirements. A response to these Section 904 requirements based on information submitted by the applicant appears in Exhibit "C", attached. The special use site plan, as required by Section 904, Zoning Code, is provided in Exhibit "D", attached.

PROPERTY INFORMATION

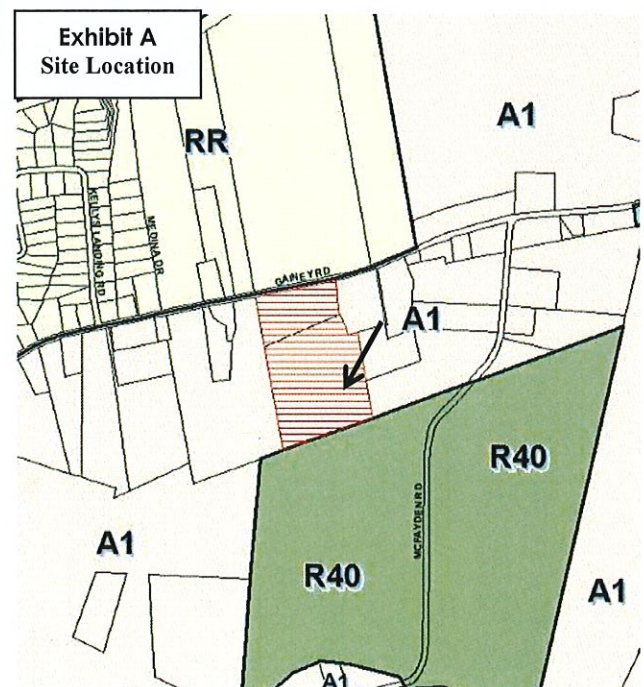
Owner/Applicant: Michael Harris on behalf of Murdock, LLC (owner) and Michael Blakley on behalf of Drafting and Design Services, Inc. (agent)

Address/Location: 3778 Gainey Road (Exhibit A)

REID #: 0454805682000 & portion of 0454832179000

Parcel Size: 33.69 +/- acres. The property has approximately 870' of street frontage along Gainey Road and a depth of 1637' +/- as measured from the street.

Existing Land Use: The subject property is currently developed with a single-family dwelling and farmland as shown in Exhibit "E" herein. Per the applicant's

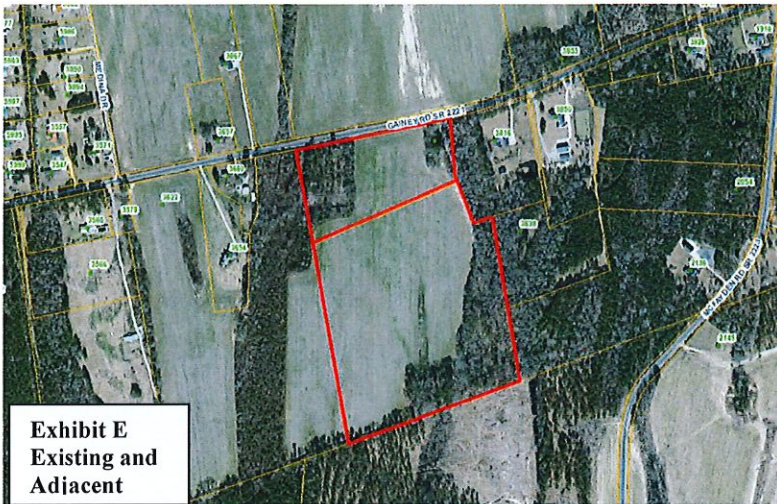


discussion with Planning staff, the single-family home will be demolished prior to commencing clearing and grading at the project site.

Development Review: A recombination plat will be required prior to development to create a single parcel for the project site.

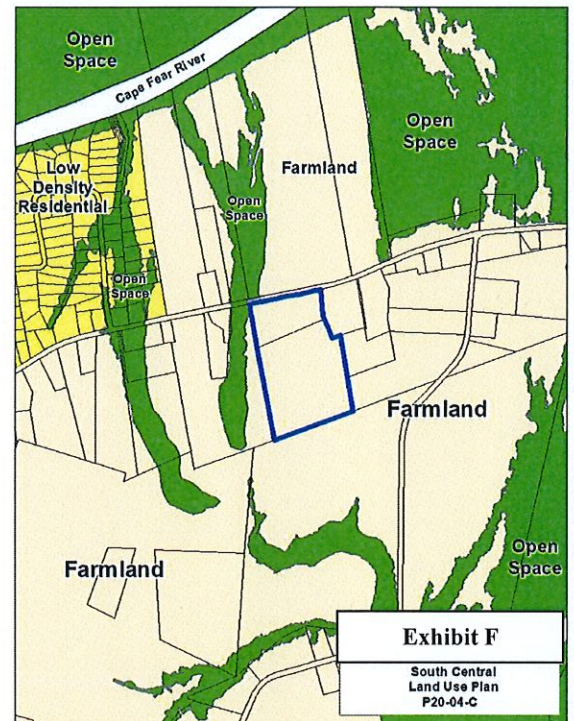
Zoning History: This property was initially zoned A1 as part of the Area 17 initial zoning on March 1, 1994.

Other Site Characteristics: The property is not within the watershed or Special Flood Hazard Area. There are hydric and hydric inclusion soils located on this site.



Surrounding Land Use: Residential uses, including manufacture homes, are the predominate use in the surrounding area, as shown in Exhibit "E".

Comprehensive Plans: The 2030 Growth Vision Plan designates this parcel for "Rural Area". The South-Central Land Use Plan (2015) designates this parcel for "Farmland", as illustrated herein as Exhibit "F". The "Farmland" designation is generally an agricultural and farming area which allows a mixture of residential development of manufactured and stick-built homes. The "Farmland" area also allows some limited commercial uses that are oriented specifically for a rural community.



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

Utilities: This property is currently served by private well and septic. This site is located within the Gray's Creek water/sewer district.

Traffic and Streets: The subject property sits along Gainey Road and is identified as a local road in the Metropolitan Transportation Plan. No construction projects are currently planned within the NCDOT transportation improvement program, and the subject property will have minimal impact on the State's or County's transportation plans. The Average Daily Traffic Count (2016) on Gainey Road is 1,300.

Schools Cap/Enroll: The proposed borrow source operation will not have an impact on student enrollment at public schools. Alderman Rd Elementary: 750/676; Gray's Creek Middle: 1200/1139; Gray's Creek High: 1470/1467

Emergency Services: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshall stated: 1. Ensure all fire department access requirements are met; 2. Submit building plans to include to-scale site plan for review of any new or re-purposed buildings; 3. Ensure emergency responder radio coverage is achieved.

FINDINGS OF FACT

Pursuant to Section 1606.C. Special Use Permits, Consideration of Application, the Board of Adjustment must establish a finding of fact for the following criteria to approve the special use:

1. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended.
2. The use meets all required conditions and specifications.
3. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and is in general conformity with the Cumberland County's most recent Comprehensive Land Use Plan.

Applicant's response to each of these criteria are provided with the Special Use Application found in the "Attachments" portion of the Staff Report.

MOTION

The BOA is requested to take actions/motions. One addressing the Findings for the Special Use zoning, and a second action on the Gainey Road Special Use Site Plan and the Special Use Permit Conditions.

SECTION 403 USE MATRIX

CUMBERLAND COUNTY ZONING ORDINANCE
 P = PERMITTED USE
 S = SPECIAL USE (Sec. 1606, Bd of Adjustment)
 Z = CONDITIONAL ZONING (Art. V, County BOC)

LAND USES	ZONING CLASSIFICATIONS																							
	CD	AL	ASA	BAR	MOA	RO	R10A	R	R20	R20A	R25	R7.5	R5	R5A	R5	R5A	OS(P)	CP	CP	CP	MS(P)	MS(P)		
ACCESSORY USES, incidental to any permitted use (Sec. 1002)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ADDRESSING SERVICE/BULK MAILING																						P	P	P
AGRICULTURAL OR RURAL FARM USE	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
AIRPORT OPERATIONS, minor (Sec. 902)		S																				S	S	
AIRPORT OPERATIONS, major																							P	
ALCOHOLIC BEVERAGE CONTROL SALES																			P	P	P			
APPAREL AND ACCESSORY SALES																						P	P	P
ASSEMBLIES, Community, assembly hall, armory, stadiums, coliseum, community center, fairgrounds etc. (Sec. 916)		P	P	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	
AUCTION SALES, excluding livestock auctioning & motor vehicles																						P	P	P
BAKERY PRODUCTION AND WHOLESALE SALES																						P	P	P
BAKING, on premises and retail only																			P	P	P			
BANKS, SAVINGS AND LOAN COMPANY AND OTHER FINANCIAL ACTIVITIES																			P	P	P			
BARBERING AND HAIRDRESSING SERVICES/SALONS (Sec. 916)		S																	P	P	P			
BARS & NIGHT CLUBS, except as regulated by Sec. 924																							P	
BED AND BREAKFAST (Sec. 903), except as regulated by Sec. 924		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						P	P	
BILLBOARDS (Sec. 1307)																							S	P
BINGO																						P	P	P
BOOKS & PRINTED MATTER SALES, except as regulated by Sec. 924																			P	P	P	P	P	P
BORROW SOURCE OPERATIONS (Sec. 904)		S																				S	S	
BOTTLED GAS DISTRIBUTING, bulk storage																						P	P	
BOTTLING																							P	P
BUILDING SUPPLY																					P	P	P	P
BUS STATION ACTIVITIES, storage terminal activities																						P	P	P
CABINET MAKING AND OTHER WOODWORKING																							P	P
CALL CENTER																								P
CEMETERY, public (Sec. 916)		P		S	S			S											P	P	P	P	P	

Exhibit "B"
Use Matrix

EXHIBIT "C"

SECTION 904. BORROW SOURCE OPERATIONS AND APPLICANT'S RESPONSE

A. The applicant shall provide a list of all property owners within 1,000 feet of the exterior boundaries of the lot of record to the site of the borrow source operation. This information shall be provided from the current Tax Administrator's property tax listing of property according to the taxadministrationoffice.

Response: Exhibit "C1" contains a list of all the property owner within 1,000 feet of the exterior boundaries of the lot, as prepared by the applicant.

B. Applicants shall identify the size and location of operating, or permitted, borrow source operations within a 1 1/2-mile radius as measured from the centroid of the parcel within which the borrow pit is located. The scope and density of these operations within a 1 1/2-mile radius shall be considered in making the final determination.

Response: Exhibit "C2" illustrates the location of all borrow source operations, active or closed, within one and a half miles from the proposed project site. According to this information, two inactive and fully reclaimed borrow source operations are located within approximately 200 feet – the Hedrick Sand source – and within 750 feet --the Live Oak Farm LLC source. Therefore, no active operating borrow sources presently occur within a one and a half miles from the proposed borrow source lot boundaries.

C. While in transit, trucks are to use appropriate load covers, and water trucks or other means that may be necessary shall be utilized to prevent dust from leaving the borrow source operation.

Response: This requirement is satisfied through a site plan approval process.

D. Existing vegetation, or stabilized, vegetated earthen berms to serve as buffers and to prevent soil erosion, shall be maintained between the borrow source operation and adjacent residences and public thoroughfares to screen the operation from the public.

Response: Required perimeter buffers are demonstrated within the proposed site plan appearing in Exhibit "D".

E. Hours of operation shall be sunrise to sunset, Monday through Saturday, unless other-wise stated in the permit.

Response: Applicant proposed that the permit allow operation hours from 7:00 a.m. to 6:00 p.m., Monday through Friday only, as indicated in the submitted special use permit application.

F. The applicant shall provide to the Planning and Inspections Staff, at the time the application is submitted, documentation from the North Carolina Department of Transportation that the public thoroughfare to which the borrow source operation has access, has sufficient load carrying capacity to support the proposed traffic generated by the borrow source operation or that load limits are acceptable.

Response: This requirement is listed on conditions of Special Use Permit approval as being required prior to application for zoning/building permits.

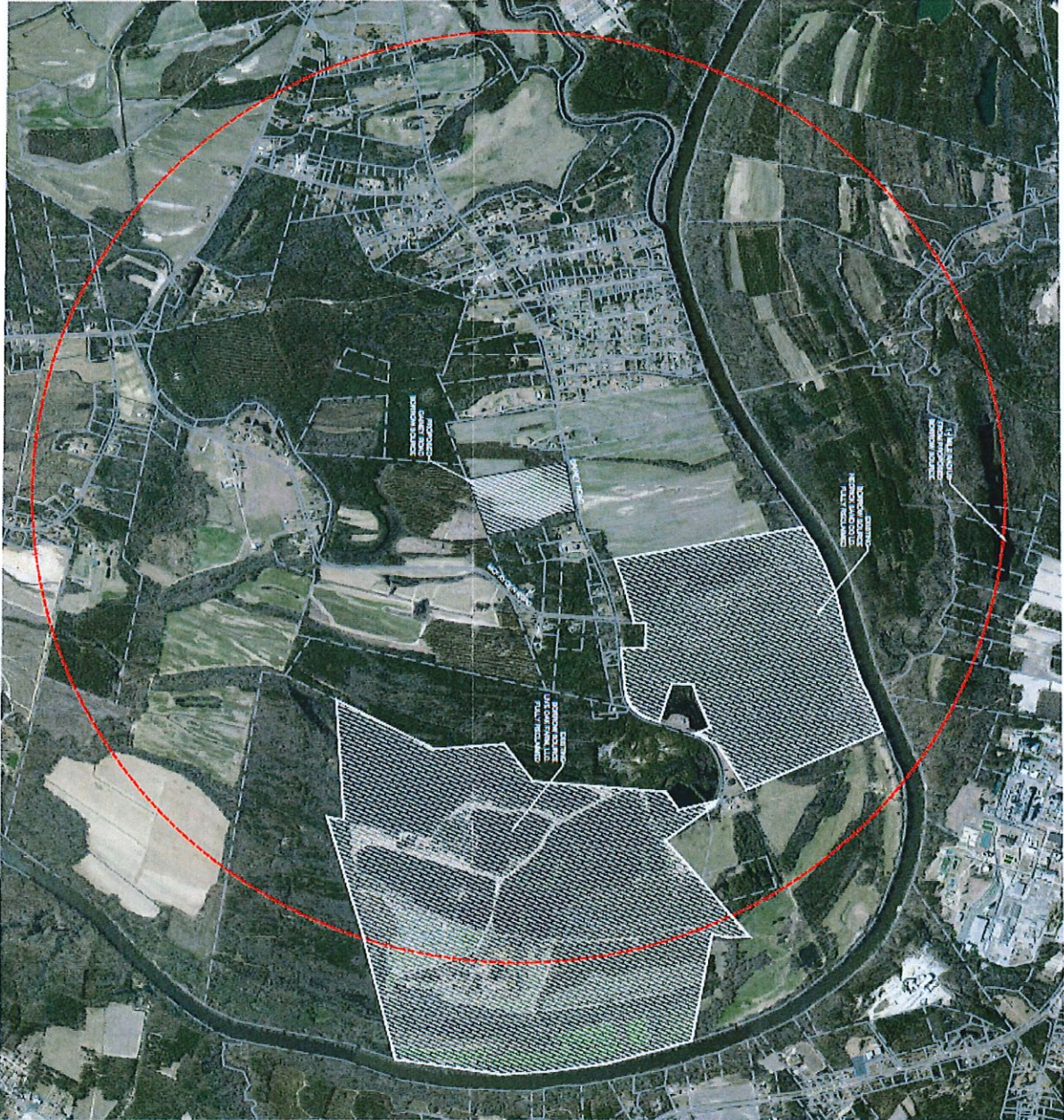
G. The applicant shall provide to the Planning and Inspections Staff, at the time the application is submitted, proof of legal access, for the County Attorney's approval, from the borrow source operation to a public thoroughfare if the subject property does not have direct access to a public thoroughfare.

Response: The subject property will utilize direct access to a public thoroughfare. This requirement is non-applicable.

EXHIBIT "C1"
Mailing List: Property Owners within 1,000 feet
(Case # P20-04-C Special Use)

P20-04-C	1000' Radius	
HARRIS, N BRIAN	PO BOX 64016	FAYETTEVILLE, NC 28306
HERNDON, MICHAEL E;HERNDON, MICHELLE L PLUMMEI	3660 GAINEY RD	FAYETTEVILLE, NC 28306
BURNEY, MARY LUCINDA TRUSTEE	1918 MCFAYDEN RD	FAYETTEVILLE, NC 28306
HARRIS, N BRIAN;HARRIS, RHONDA R	PO BOX 64016	FAYETTEVILLE, NC 28306
MURDOCK LLC	307 BUCKINGHAM DR	MEBANE, NC 27302
HAYNER, TERRY;HAYNER, SABRINA	3816 GAINEY RD	FAYETTEVILLE, NC 28306
PAGE, GEORGE R	3578 GAINEY RD	FAYETTEVILLE, NC 28306
BURNEY, SIMON FRANKLIN;BURNEY, MARGARET L	4070 GAINEY RD	FAYETTEVILLE, NC 28306
WADDLE, FLOYD R;WADDLE, ROBERTA S	003941 GAINEY RD	FAYETTEVILLE, NC 28306
PAGE, GEORGE R	3578 GAINEY RD	FAYETTEVILLE, NC 28306
SMITH, DIANE DUMONT	2136 MCFAYDEN RD	FAYETTEVILLE, NC 28306
OXENDINE, LESLIE	3850 GAINEY RD	FAYETTEVILLE, NC 28306
HALL, MARGARET H	5420 MCRAE ST	HOPE MILLS, NC 28348
PAGE, JAMES R	3574 GAINEY RD	FAYETTEVILLE, NC 28306
GILLIS, DAVID MILLER;GILLIS, SUZANNE CATHERINE	7775 CLIMBING TREE LN	FAYETTEVILLE, NC 28306
GARRETT, SAMUEL L;GARRETT, RENATA R	3667 GAINEY RD	FAYETTEVILLE, NC 28306
BURNEY, SIMON FRANKLIN;BURNEY, MARGARET L	4070 GAINEY RD	FAYETTEVILLE, NC 28306
POW, SHANNON MENDENHALL	214 VIRGINIA AVENUE	FAYETTEVILLE, NC 28305
OXENDINE, LESLIE	3850 GAINEY RD	FAYETTEVILLE, NC 28306
MURDOCK LLC	307 BUCKINGHAM DR	MEBANE, NC 27302
FOX, RICHARD LAUMAN II;WIFE ASHTON L, DAVID D STEV	2727 MCFAYDEN RD	FAYETTEVILLE, NC 28306
JACKSON, JOSHUA;JACKSON, ERIKA	P O BOX 48704	CUMBERLAND, NC 28331
REITZEL, JEFFREY B;JAMES, M KIZER JR TRUSTEES	115 BROADFOOT AVE	FAYETTEVILLE, NC 28305
BRIGHT, DAVID C	3571 GAINEY RD	FAYETTEVILLE, NC 28306
ANDRESS, DENNIS G;ANDRESS, RACHEL L	3118 POVERTY FLATS RD	WADE, NC 28395

EXHIBIT "C2"
Borrow Source Operations with Proximity
to the Applicant's Site
(Case # P20-04-C Special Use)



<p>CAT-11</p> <p>CONSTRUCTION</p> <p>DATE: 08/11/2011</p>	<p>AGENCY REVIEW ONLY</p> <p>NOT FOR CONSTRUCTION</p>
--	---

NO. 1	DESCRIPTION	DATE

**GAINEY ROAD
BORROW SOURCE**
 GAINIEY ROAD
 CUMBERLAND COUNTY, NORTH CAROLINA

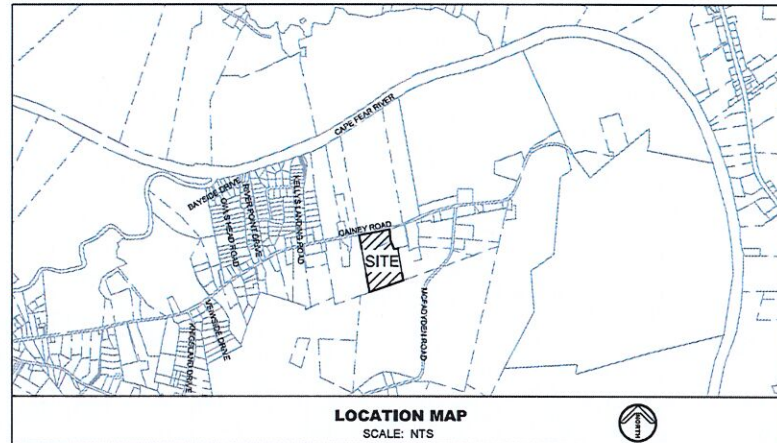
 1 1/4 MILE RADIUS - BORROW SOURCES MAP

David J. ...
 1715 ...
 ...

EXHIBIT "D"
Special Use Site Plan
(Case # P20-04-C Special Use)

GAINEY ROAD BORROW SOURCE SPECIAL USE PERMIT

GAINEY ROAD
CUMBERLAND COUNTY, NORTH CAROLINA



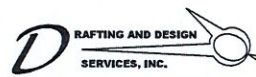
SHEET INDEX

- C1 COVER SHEET
- C2 MINE SITE LAYOUT PLAN
- C3 DRAINAGE AREA MAP
- C4 MINE MAP
- C5 RECLAMATION PLAN
- C6 EROSION CONTROL NOTES
- C7-10 EROSION CONTROL DETAILS
- C11 EROSION CONTROL CALCULATIONS

SITE DEVELOPER/OWNER

FAYBLOCK MATERIALS
130 BUILDERS BLVD.
FAYETTEVILLE, NC 28301
CONTACT: BOB ALLEN JR.
PHONE: (910) 323-8503

SEPTEMBER 2020



6728 Carbonton Road
Sanford, North Carolina 27330
(919) 499-8759 phone
draftinganddesign@ymail.com

AGENCY REVIEW ONLY
NOT FOR CONSTRUCTION

project no. 2020-21

SITE DATA TABLE

OWNER: MURDOCK, LLC
507 BUCKINGHAM DRIVE
MEDINA, NC 27022

PN: PORTION OF 04-04-05-2179
PL 04-04-05-04-02

PARCEL ID: 0462
0463

PORTION OF DEED BOOK: 793
PAGE # 9113

TOTAL PARCEL AREA: 33.8 AC ±

EXISTING ZONING: AGRICULTURE 1 (A1)
PROPOSED ZONING: AGRICULTURE 1 (CONDITIONAL USE (A1-C))
CONDITIONAL ZONING AREA: 33.8 AC ±

PROPOSED USE: BORROW PIT (GAIN & BUFFER)

PERMIT CALCULATIONS

REQUIRED:
12 PACEMEN EMPLOYEES ± 10 EMPLOYEES: 10 SPACES

PROPOSED:
10 SPACES (INCL. H.C.)

LANDSCAPE CALCULATIONS

REQUIRED:
1 TREE PER 50 FT FRONTAGE × 800 FT ± = 18 TREES

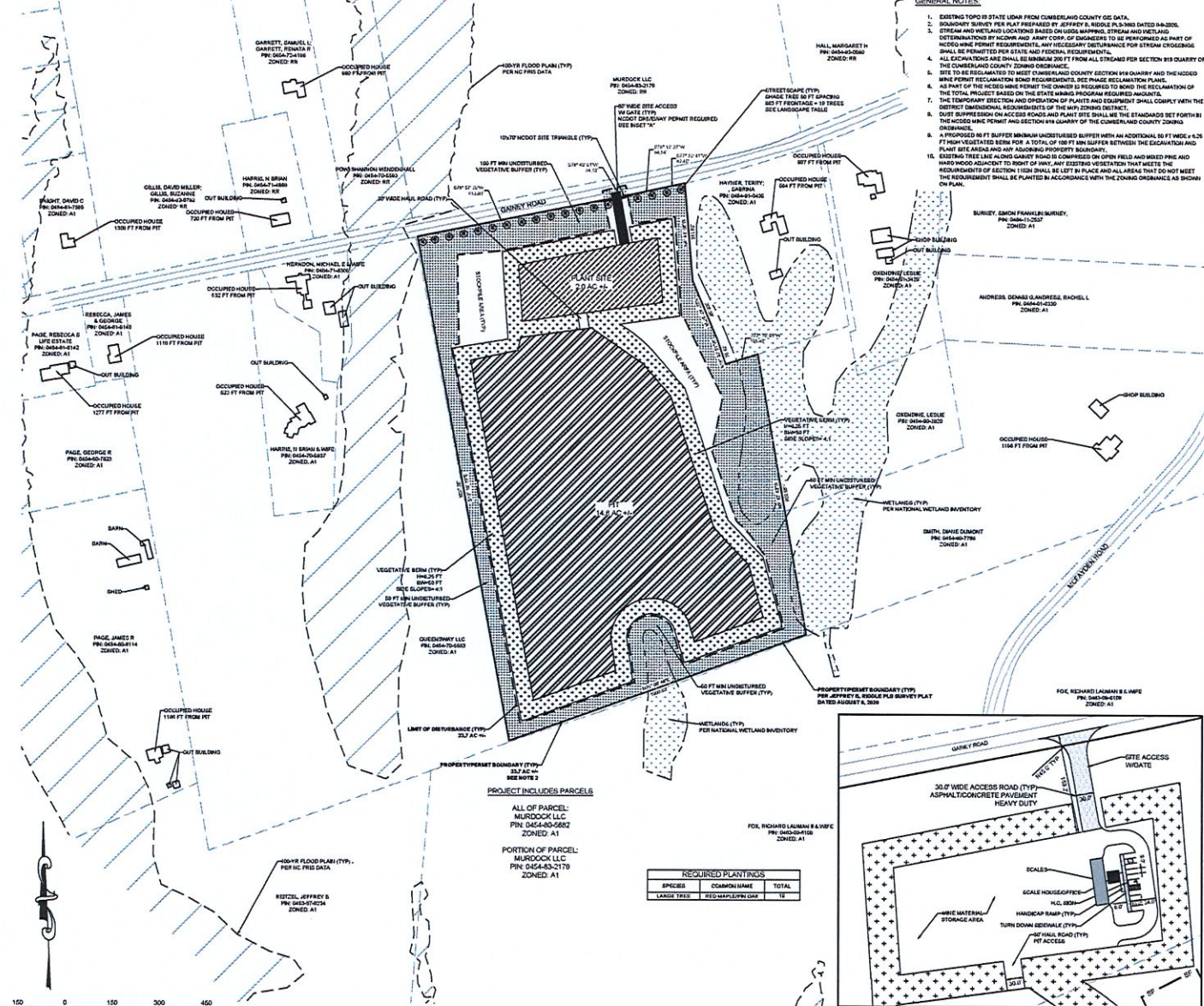
PROPOSED:
18 TREES

PROPOSED MINING AREAS

PIT	14.8 AC
PLANT SITE	2.0 AC
UNDISTURBED BUFFER	8.3 AC
OTHER MISC. AREA (BERM, TRAIL, DRIVEWAYS, ETC.)	8.6 AC
TOTAL PROJECT AREA	33.7 AC

LEGEND

CONDITIONAL USE PERMIT BOUNDARY	---
WETLAND	▨
10-YR PIT	▨
BUFFER	▨
PLANT SITE	▨
AFFECTED AREA	---
CREEK	---
BERM	▨



- GENERAL NOTES**
- EXISTING TOPO IS STATE LOAN FROM CUMBERLAND COUNTY GIS DATA.
 - BOUNDARY SURVEY PER PLAN PREPARED BY JEFFREY B. ROSS, PLS 1983 DATED 04-20-05.
 - STREAM AND WETLAND LOCATIONS BASED ON USGS MAPING, STREAM AND WETLAND DETERMINATIONS BY HICOM AND ARMY CORP. OF ENGINEERS TO BE PERFORMED AS PART OF NEEDED WINE PERMIT REQUIREMENTS. ANY NECESSARY DISTURBANCES FOR STREAM CROSSINGS SHALL BE PERMITTED PER STATE AND FEDERAL REQUIREMENTS.
 - ALL EXCAVATIONS SHALL BE MINIMUM 50 FT FROM ALL STRUCTURES FOR SECTION #19 QUARTY OF THE CUMBERLAND COUNTY ZONING ORDINANCE.
 - AS PART OF THE NEEDED WINE PERMIT THE OWNER IS REQUIRED TO SUBMIT THE RECLAMATION OF THE TOTAL PROJECT BASED ON THE STATE WINE PROGRAM REQUIRED AMOUNT.
 - ALL PARTS OF THE NEEDED WINE PERMIT SHALL BE REQUIRED TO SUBMIT THE RECLAMATION OF THE DISTRICT DIMENSIONAL REQUIREMENTS OF THE MAP ZONING DISTRICT.
 - EXISTING TREE LINE ALONG GAINNEY ROAD IS COMPRESSED ON OPEN FIELD AND NEEDED PINE AND HARD WOOD ADJACENT TO RIGHT OF HWY. ANY EXISTING VEGETATION THAT MEETS THE REQUIREMENTS OF SECTION 1152A SHALL BE LEFT IN PLACE AND ALL AREAS THAT DO NOT MEET THE REQUIREMENTS SHALL BE PLANTED IN ACCORDANCE WITH THE ZONING ORDINANCE AS SHOWN ON PLAN.

DRAFTING AND DESIGN SERVICES, INC.

4728 Carbonite Road
Sardis, North Carolina 27330
(919) 496-2759 phone
draftinganddesign@hotmail.com

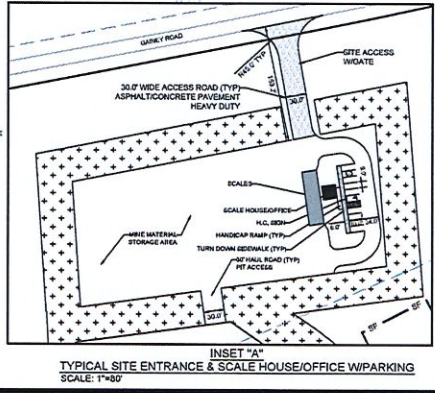
**GAINNEY ROAD
BORROW SOURCE
GAINNEY ROAD
CUMBERLAND COUNTY, NORTH CAROLINA**

MINE SITE LAYOUT PLAN

REVISIONS

**AGENCY REVIEW ONLY
NOT FOR CONSTRUCTION**

Scale: 1"=150'	Drawn by: MRS
Sheet:	Designed by: MRS
C2 of 11	Reviewed by: MRS
Project Number: D08-108 # 2025-21	Date: SEPT 2025



REQUIRED PLANTINGS

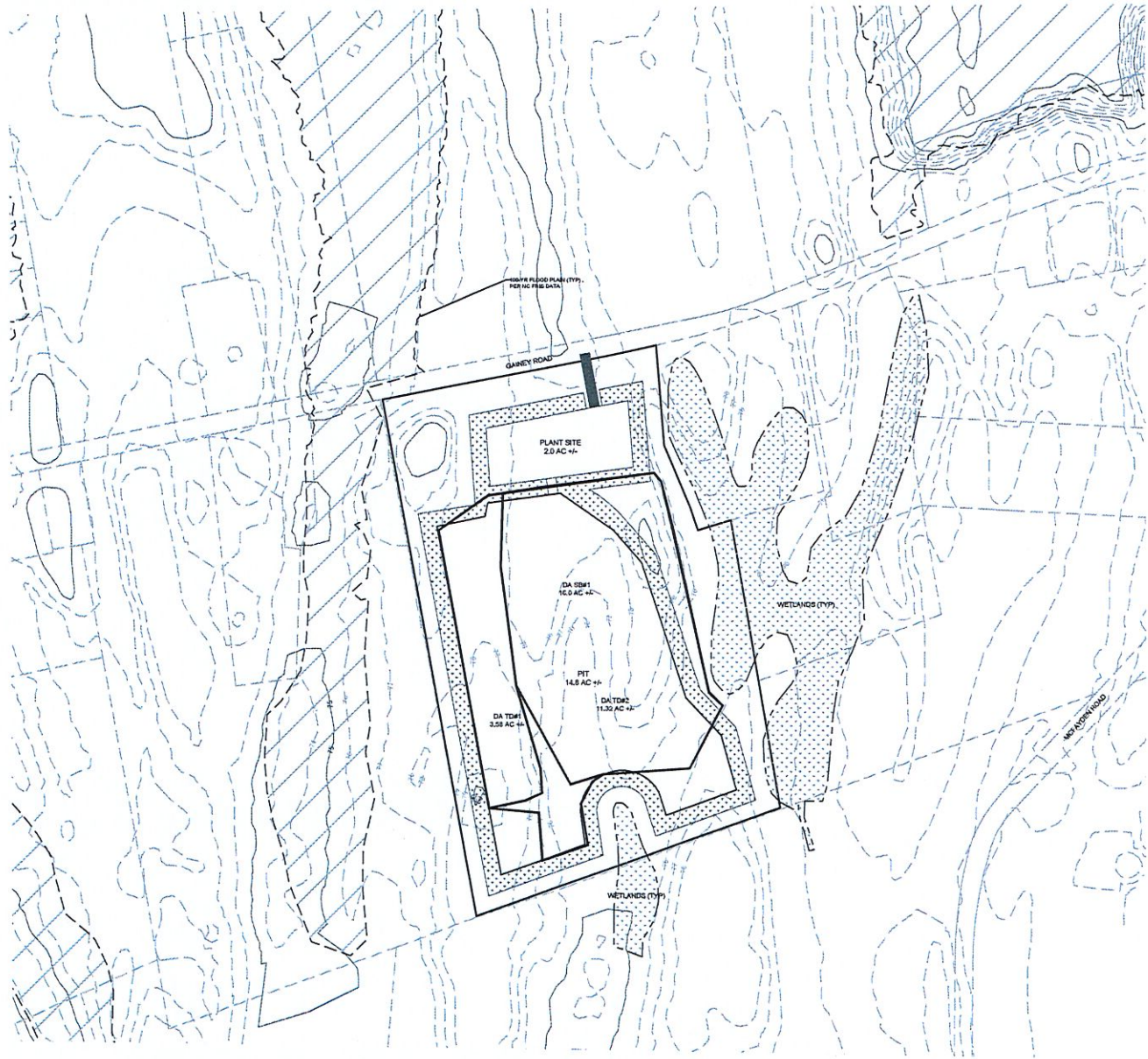
SPECIES	COMMON NAME	TOTAL
LARGE TREE	RED MAPLE/LAWN GRASS	18

PROJECT INCLUDES PARCELS

ALL OF PARCEL:
MURDOCK, LLC
PN: 04-04-05-04-02
ZONED: A1

PORTION OF PARCEL:
MURDOCK, LLC
PN: 04-04-05-2179
ZONED: A1





DRAFTING AND DESIGN SERVICES, INC.
 6728 Carbonton Road
 Sanford, North Carolina 27330
 (919) 494-2779 phone
draftingandservices@gmail.com

**GAINEY ROAD
 BORROW SOURCE
 GAINEY ROAD
 CUMBERLAND COUNTY, NORTH CAROLINA**

DRAINAGE AREA MAP

REVISIONS

**AGENCY REVIEW ONLY
 NOT FOR CONSTRUCTION**

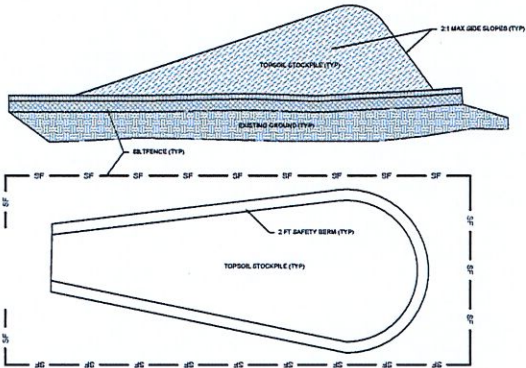
Scale: 1"=100'	Drawn by: MTB
Sheet:	Designed by: MTB
C3 of 11	Reviewed by: MTB
Project Number: D06 JOB # 2020-21	Date: SEPT 2020

100% FLOOD PLAN (TYP) PER NC FIRM DATA
 GAINEY ROAD
 BORROW SOURCE
 GAINEY ROAD
 CUMBERLAND COUNTY, NORTH CAROLINA
 DRAINAGE AREA MAP
 Scale: 1" = 100'
 Sheet:
 C3 of 11
 Project Number: D06 JOB # 2020-21
 Date: SEPT 2020

CONSTRUCTION SEQUENCE MINING ACTIVITY

- PHASE 1**
1. PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES CONTACT NEEDED LAND QUALITY SECTION (#116-433306).
 2. INITIAL CONSTRUCTION ENTRANCE ON GAINNEY ROAD.
 3. INITIAL SILT FENCE ALONG ACCESS ROAD PER PLAN.
 4. INITIAL SILT FENCE BELONGING DETERMINED AREAS WITH SILT FENCE OUTLETS PER PLAN.
 5. INITIAL SEDIMENT BASINS, STABILIZED AND SEED ALL SLOPES IMMEDIATELY. ONLY CLEAR AS NECESSARY TO INSTALL BASINS. MAINTAIN SILT FENCE AND SILT FENCE OUTLETS DOWN STREAM UNTIL GOOD GROUND COVER IS ESTABLISHED.
 6. INITIAL TEMPORARY OVERDIVERSIONS, STABILIZED AND SEED ALL SLOPES IMMEDIATELY. ONLY CLEAR AS NECESSARY TO INSTALL OVERDIVERSIONS. MAINTAIN SILT FENCE AND SILT FENCE OUTLETS DOWN STREAM UNTIL TEMPORARY PERMANENT LINES AND GOOD GROUND COVER ON ALL SLOPES IS ESTABLISHED.
 7. INITIAL SILT FENCE PER PLAN BELOW ALL PERMANENT/TEMPORARY DIVERSIONS AND BARRIERS WITH SILT FENCE OUTLETS IN LOW AREA PER PLAN.
 8. INITIAL PLANT SITE WE BERM AND BEGIN REMOVAL OF OVERBURDEN FROM PIT.
 9. INITIAL PERMANENT AND TEMPORARY BERMS AROUND PIT.
 10. ONCE BERMS ARE COMPLETE AROUND PLANT SITE AND STAGED EXCAVATION AREA AND ARE STABILIZED AND SEED, MAINTAIN SILT FENCE UNTIL THIS IS ACHIEVED. REMOVE TEMPORARY OVERDIVERSIONS AND TEMPORARY DIVERSIONS ONCE POSITIVE DRAINAGE IS ACHIEVED TO THE PIT. MAINTAIN ALL CONVEYANCE OVERDIVERSIONS AND SILT FENCE UNTIL GOOD GROUND COVER IS ESTABLISHED.
 11. ONCE GOOD GROUND COVER IS ESTABLISHED AND NO RUTTING OF SLOPES IS OCCURRING REMOVE ALL DIVERSION CONTROL MEASURES WHILE MAINTAINING SILT FENCE ON DOWNSTREAM SIDE.
 12. DRAINAGE ALL SEDIMENT BASINS AND SEDIMENT TRAPS WITH SILT BAG PER DETAIL.
 13. MAINTAIN SILT FENCE UNTIL AFTER RAIN EVENTS.
 14. STABILIZE AND SEED ALL DRAINAGE AREAS IN WHICH WORK WILL NOT RECOMMENCE WITHIN 7 WORKING DAYS OR 14 CALENDAR DAYS.
 15. CALL NEEDED LAND QUALITY SECTION FOR INSPECTION (#116-433306).

- PHASE 2**
1. BEGIN MINING ACTIVITIES.
 2. AS EXCAVATION AREA IS EXPANDED POSITIVE DRAINAGE TO BE MAINTAINED TO EXCAVATION PIT.
 3. TEMPORARY LEED STOCKPILE AREAS THAT WILL BE DRAINAGE FOR 30 DAYS OR MORE.
 4. MAINTAIN ALL EROSION CONTROL DEVICES MERELY AND AFTER MINOR STORM EVENTS.
 5. CALL NEEDED LAND QUALITY SECTION FOR INSPECTION (#116-433306).



NOTES:
 STABILIZE AND SEED ALL SLOPES PER NCDQS STANDARDS FOR THE FRAMES FOR DRAINAGE SLOPES.
 INSTALL SILT FENCE PER SILT FENCE DETAIL.

STOCKPILE AREA (TYP)

NTS

LEGEND

- PERMITS BOUNDARY
- EXISTING CONTOUR
- WETLAND
- BUFFER
- AFFECTED AREA
- CREEK
- BERM
- POND

PROPOSED BASIN TABLE

NO.	NAME	TYPE	DEPTH	AREA	VOLUME	DESIGN	STATUS	REMARKS
1	SEDIMENT BASIN	15'	21	23 FT	STORMWATER	SEDIMENTATION	1	STABILIZE AND SEED ALL SLOPES IMMEDIATELY. EMERGENCY SPILLWAY TO BE CONSTRUCTED IN CUT ONLY.

PROPOSED DIVERSION TABLE

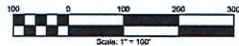
CHANNEL ID	CHANNEL WIDTH	CHANNEL DEPTH	CHANNEL LENGTH	CHANNEL TYPE	CHANNEL STATUS	REMARKS
1	15'	21	23 FT	STORMWATER	SEDIMENTATION	STABILIZE AND SEED ALL SLOPES IMMEDIATELY. EMERGENCY SPILLWAY TO BE CONSTRUCTED IN CUT ONLY.

DISTURBED AREAS

TAILINGS/SEDIMENT PONDS	0.4 AC
STOCKPILES	1.4 AC
PROCESSING AREA/HAUL ROADS	1.0 AC
MINE EXCAVATION	14.8 AC
OTHER MISC EXCAVATION (BERMS, DIVERSIONS, ETC.)	7.9 AC
TOTAL AFFECTED AREA	25.5 AC
INTERNAL DRAINAGE = 20.8 AC	
EXTERNAL DRAINAGE = 2.9 AC	

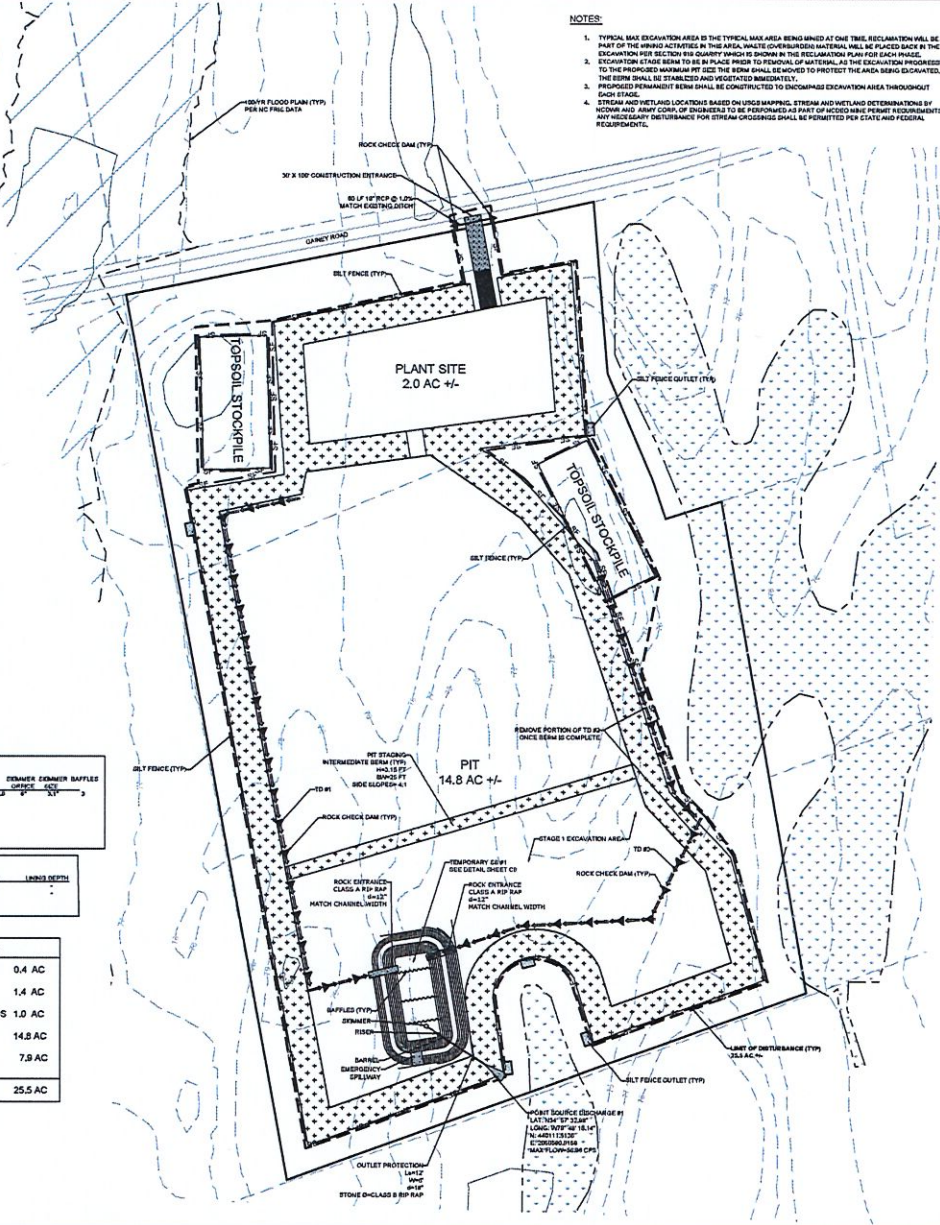
EROSION CONTROL LEGEND

- SEDIMENT BASIN
- ROCK CHECK DAMS
- SILT FENCE
- TEMPORARY DIVERSION DITCH
- OUTLET PROTECTION
- J-HOOK W/ SILT FENCE OUTLET
- SILT FENCE OUTLET



NOTES:

1. TYPICAL MAX EXCAVATION AREA IS THE TYPICAL MAX AREA BEING MINED AT ONE TIME. RECLAMATION WILL BE A PART OF THE MINING ACTIVITIES IN THIS AREA. WASTE OVERBURDEN MATERIAL WILL BE PLACED BACK IN THE EXCAVATION PER SECTION #116-433306 WHICH IS SHOWN IN THE RECLAMATION PLAN FOR EACH PHASE.
2. EXCAVATION STAGE BEARS TO BE PLACED FROM TO TEMPORARY MATERIAL AS THE EXCAVATION PROGRESSES TO THE PROPOSED MAXIMUM PIT SIZE THE BERM SHALL BE MOVED TO PROTECT THE AREA BEING EXCAVATED. THE BERM SHALL BE STABILIZED AND VEGETATED IMMEDIATELY.
3. PROPOSED PERMANENT BERM SHALL BE CONSTRUCTED TO ENCLOSURE EXCAVATION AREA THROUGHOUT EACH PHASE.
4. STREAM AND WETLAND LOCATIONS BASED ON USGS MAPS. STREAM AND WETLAND DETERMINATIONS BY STATE AND FEDERAL AGENCIES TO BE PERFORMED AS PART OF ACCESS/PERMIT REQUIREMENTS. ANY NECESSARY DETOURING FOR STREAM CROSSINGS SHALL BE PERMITTED PER STATE AND FEDERAL REQUIREMENTS.



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 Sanford, North Carolina 27330
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 draftingservices@comcast.net

**GAINNEY ROAD
 BORROW SOURCE
 GAINNEY ROAD
 CUMBERLAND COUNTY, NORTH CAROLINA**

MINE MAP

REVISIONS

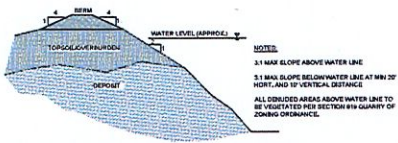
NO.	DESCRIPTION

AGENCY REVIEW ONLY NOT FOR CONSTRUCTION

Scale: 1"=100'
 Sheet: C4 of 11
 Project Number: DDB-JOB # 2020-21
 Drawn by: MTS
 Designed by: MTS
 Reviewed by: MTS
 Date: SEPT 2020

NOTES:

- EXISTING TOPOG BY STATE LEAD FROM CUMBERLAND COUNTY GIS DATA.
- STREAM AND WETLAND LOCATIONS BASED ON USGS MAPPING, STREAM AND WETLAND DETERMINATIONS BY MCHM AND ARMY CORPS OF ENGINEERS TO BE PERFORMED AS PART OF MCHM MINE PERMIT REQUIREMENTS. ANY NECESSARY DISTURBANCE FOR STREAM CROSSINGS SHALL BE PERMITTED FOR STATE AND FEDERAL REQUIREMENTS.
- SITE TO BE RECLAIMED TO MEET CUMBERLAND COUNTY SECTION #18 QUARRY AND THE MCHM MINE PERMIT RECLAMATION ONSITE REQUIREMENTS.
- AS PART OF THE MCHM MINE PERMIT THE OWNER IS REQUIRED TO BOND THE RECLAMATION OF THE TOTAL PROJECT BASED ON THE STATE MCHM PROGRAM REQUIRED AMOUNTS.



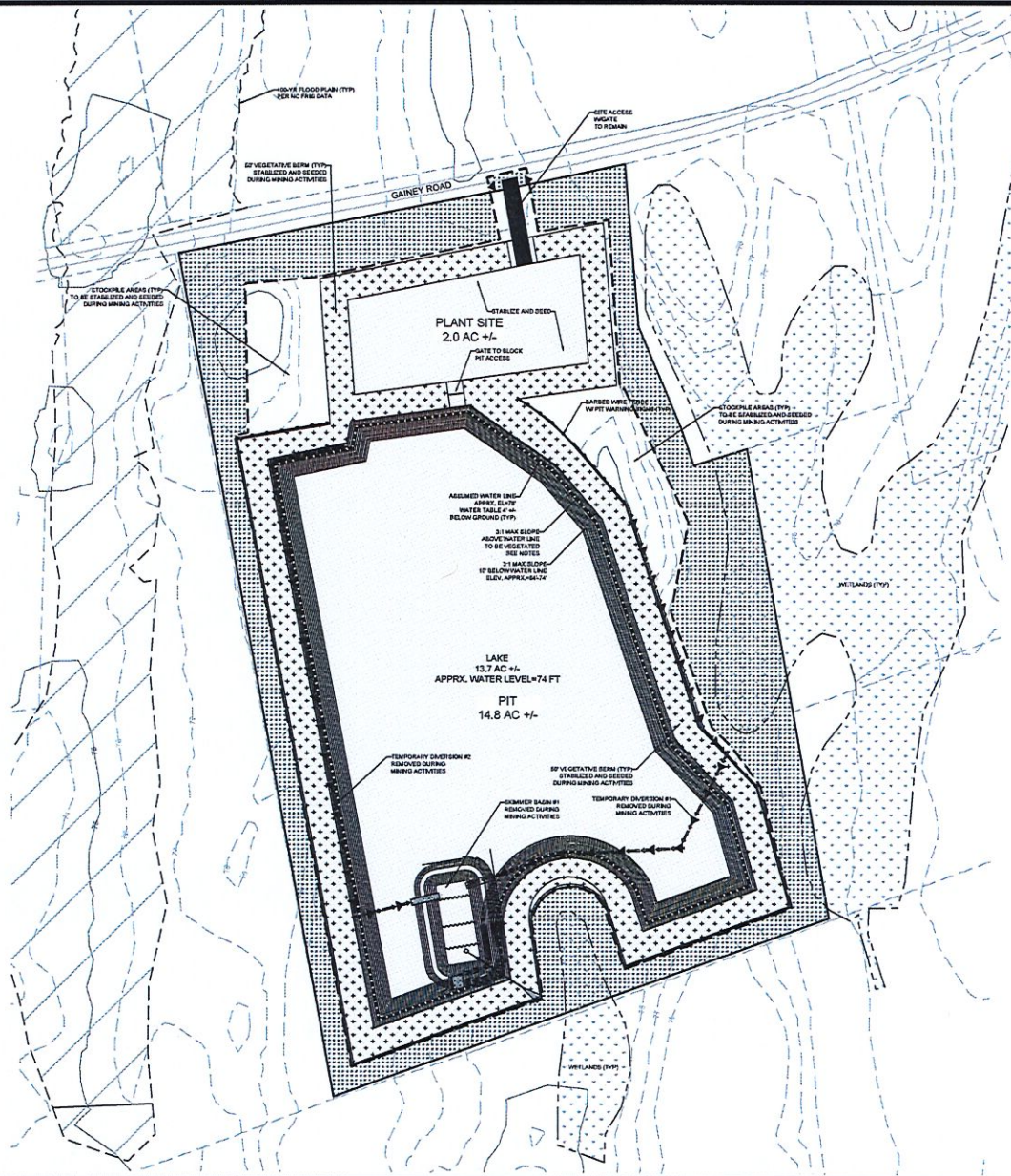
PIT SIDE WALL RECLAMATION (TYP)

HTG

PROPOSED MINING AREAS	
PIT	14.8 AC
PLANT SITE	2.0 AC
UNDISTURBED BUFFER	8.3 AC
OTHER MISC. AREA (AREAS TEMP. DIVERSION, ETC.)	8.6 AC
TOTAL PROJECT AREA	33.7 AC

LEGEND

PERMIT BOUNDARY	—————
EXISTING CONTOUR	- - - - -
PROPOSED BUFFER	▤▤▤▤▤▤
AFFECTED AREA	▨▨▨▨▨▨
CREEK	~~~~~
BERM	▤▤▤▤▤▤
POND	○



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**GAINEY ROAD
 BORROW SOURCE**
 GAINEY ROAD
 CUMBERLAND COUNTY, NORTH CAROLINA

RECLAMATION PLAN

REVISIONS	

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Scale: 1"=100' Drawn by: MBS
 Sheet: Designed by: MBS
C5 of 11 Reviewed by: MBS
 Project Number: Date: 2020-21
 D08 JOB #: 2020-21 SEPT 2020

REVISIONS	

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C8 of 11	Reviewed by: MTS
Project Number: D08 JOB # 2020-21	Date: _____
	SEPT 2020

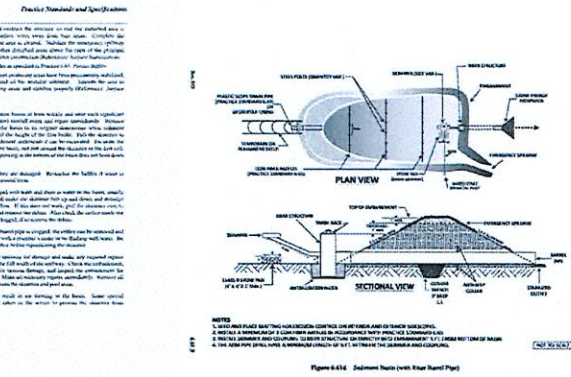
1.1 This work shall be completed in accordance with the specifications and standards of the Department of Transportation and the State of North Carolina. All work shall be completed in accordance with the specifications and standards of the Department of Transportation and the State of North Carolina. All work shall be completed in accordance with the specifications and standards of the Department of Transportation and the State of North Carolina.

1.2 The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

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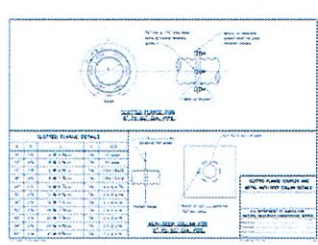
1.4 The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

1.5 The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

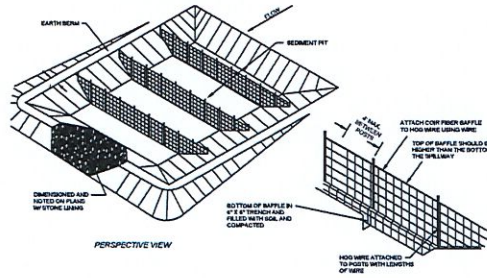


SEDIMENT BASIN
 NTS

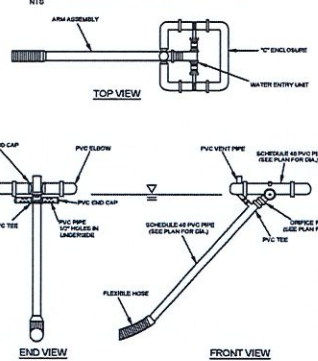
SKIMMER/SEDIMENT BASIN CONSTRUCTION AND MAINTAINANCE PROCEDURES



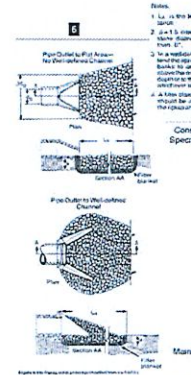
ANTI-SEEP COLLAR



SEDIMENT BASIN #1 WRISER STRUCTURE



SKIMMER DEWATERING DEVICE
 NTS



OUTLET PROTECTION
 NTS

TEMPORARY BASIN BAFFLES
 NTS

- NO BAFFLES ALLOWED FORWOOD CORR CORR BAFFLES & RECURSIVE
- DRIVE STEEL FENCE POST AT LEAST 1/2 INTO SOLID GROUND
- WOOD POSTS ARE NOT ACCEPTABLE
- BAFFLES BRIDGED A MAXIMUM OF 8 FEET TWO ENDS OF SCUMMIT TRAP CLOSEST TO RIP-RAP WEIR

CONSTRUCTION SPECIFICATIONS

- The length of the basin shall be 10 feet.
- The depth of the basin shall be 4 feet.
- The basin shall be constructed of concrete or masonry.
- The basin shall be finished with a smooth surface.
- The basin shall be finished with a smooth surface.
- The basin shall be finished with a smooth surface.
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MAINTENANCE

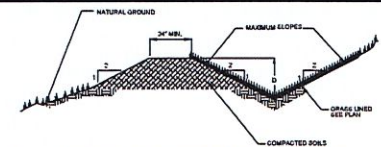
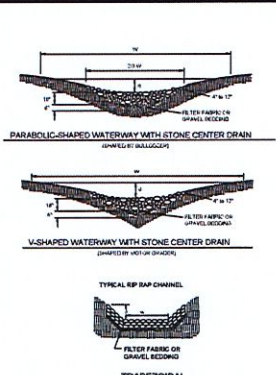
- The basin shall be inspected regularly.
- The basin shall be inspected regularly.
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- The basin shall be inspected regularly.
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- The basin shall be inspected regularly.

REFERENCES

- ASCE, 1992. *Hydrology and Flood Damage Reduction*. Reston, VA: American Society of Civil Engineers.
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- ASCE, 1992. *Hydrology and Flood Damage Reduction*. Reston, VA: American Society of Civil Engineers.
- ASCE, 1992. *Hydrology and Flood Damage Reduction*. Reston, VA: American Society of Civil Engineers.
- ASCE, 1992. *Hydrology and Flood Damage Reduction*. Reston, VA: American Society of Civil Engineers.

Construction Specifications

1. Place the foundation area of trees, stumps, roots, logs, rock, and other obstructions.
2. Excavate the channel to the true set grades of the foundation area. Slope as shown in the plans. Rip-rap or stone should be placed to maintain the stability of the slope in the finished, final grade and compacted to the design of the installing agency.
3. Place a layer of rip-rap or stone on the ground and finish with a rip-rap surface.
4. Place rip-rap on the foundation area to the ground and finish with a rip-rap surface.
5. Place rip-rap on the foundation area to the ground and finish with a rip-rap surface.
6. Place rip-rap on the foundation area to the ground and finish with a rip-rap surface.
7. Place rip-rap on the foundation area to the ground and finish with a rip-rap surface.
8. Place rip-rap on the foundation area to the ground and finish with a rip-rap surface.
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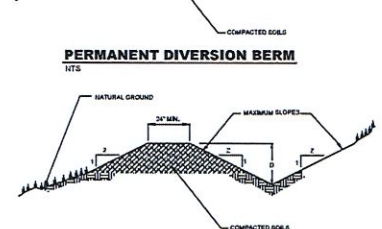
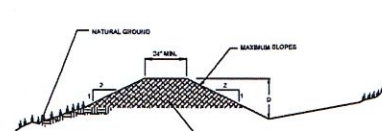


Construction Specifications

1. Remove all trees, brush, stumps, and other obstructions from the foundation area, and slope of property.
2. Excavate the channel, and shape it to meet lines and dimensions shown on the plans plus a 6"-8" margin around the channel opening to allow for building during needed preparations and soil banking.
3. Retain and properly dispose of all excess soil so that surface water may enter the channel freely.
4. The procedure used to establish lines in the channel will depend upon the severity of the conditions and reflection of slopes. Protect the channel with mulch or a temporary floor sufficient to withstand anticipated vehicles during the establishment period (Appendix A-10).

Maintenance

During the establishment period, check grass/seed/cover after every rainfall. After grass is established, periodically check the channel. Check it after every heavy rainfall event. Immediately remove debris. It is particularly important to check the channel under and all road crossings for bank stability and evidence of gully or water holes. Remove all significant sediment accumulations to maintain the designed carrying capacity. Keep the grass in a healthy, vigorous condition at all times, since it is the primary erosion protection for the channel (Utah State 1-11, Permanent Structure).



Maintenance

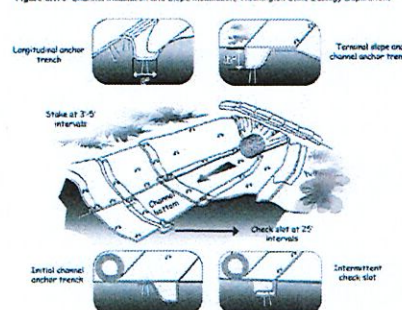
During the establishment period, check grass/seed/cover after every rainfall. After grass is established, periodically check the channel. Check it after every heavy rainfall event. Immediately remove debris. It is particularly important to check the channel under and all road crossings for bank stability and evidence of gully or water holes. Remove all significant sediment accumulations to maintain the designed carrying capacity. Keep the grass in a healthy, vigorous condition at all times, since it is the primary erosion protection for the channel (Utah State 1-11, Permanent Structure).

TRAPAZOIDAL

GRASS LINED TEMPORARY/PERMANENT DIVERSION DITCH

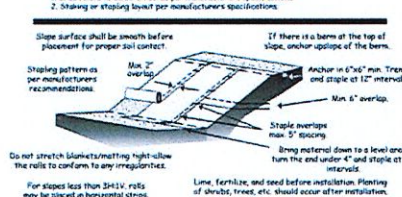
TEMPORARY/PERMANENT DIVERSION DITCH

Figure 8.17e Channel Installation and Slope Installation, Washington State Ecology Department



NOTE:

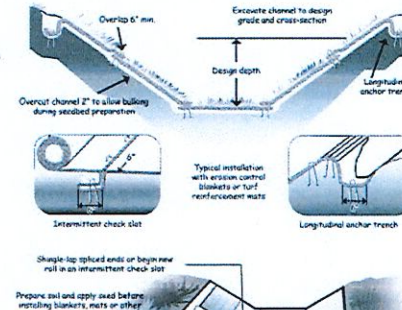
1. Check slots to be constructed per manufacturer's specifications.
2. Shaping or stapling layout per manufacturer's specifications.



For slopes less than 3H:1V, rolls may be placed in horizontal strips.

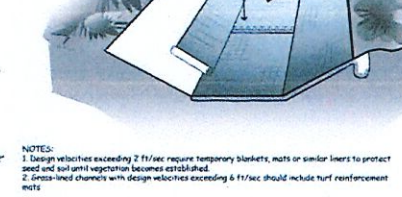
Limit, fertilize, and seed before installation. Planting of shrubs, trees, etc. should occur after installation.

Figure 8.17d Temporary Channel Lines, Washington State Department of Ecology



NOTE:

1. Design velocities exceeding 2 ft/sec require temporary blankets, mats or similar liners to protect seed and soil until vegetation becomes established.
2. Grass-lined channels with design velocities exceeding 6 ft/sec should include turf reinforcement mats.



TEMPORARY LINING FOR TEMPORARY/PERMANENT DIVERSION DITCH

Construction Specifications

Even if properly installed, if not properly installed, RECP's will probably not function as desired. Proper installation is imperative. Even if properly installed, if not properly lined and reinforced, vegetation will probably not grow as desired. Proper seed/vegetation selection is also imperative.

Grade the surface of installation areas so that the ground is smooth and loose. When seeding prior to installation, follow the steps for seed bed preparation, soil amendments, and seeding in Surface Stabilization, 1-1. All paths, rolls, and any other disturbed areas must be first graded prior to installation. Spread seed before RECP installation. (Important: Remove all larger rocks, dirt clods, stumps, roots, grass clumps, trash, and other obstructions from the soil surface to allow for direct contact between the soil surface and the RECP.)

Terminal anchor trenches are required at RECP ends and intermediate trenches must be constructed across channels at 25-foot intervals. Terminal anchor trenches should be a minimum of 12 inches in depth and 6 inches in width, while intermediate trenches need be only 6 inches deep and 6 inches wide.

Installation for Slopes—Place the RECP 2-3 feet over the top of the slope and into an excavated end trench measuring approximately 12 inches deep by 6 inches wide. Pin the RECP at 1 foot intervals along the bottom of the trench, backfill, and compact. Unroll the RECP down the slope maintaining direct contact between the soil and the RECP. Overlap adjacent rolls a minimum of 1 inch. Pin the RECP to the ground using staples or pins in a 3 foot center-to-center pattern. Low frequent staples/pins are acceptable on moderate slopes.

Installation in Channels—Excavate terminal trenches 12 inches deep and 6 inches wide across the channel at the upper and lower end of the lined channel sections. At 25-foot intervals along the channel, anchor the RECP across the channel either in a trench by 6 inch trenches or by installing two closely spaced rows of anchors. Excavate longitudinal trenches 6 inches deep and wide along channel edges (above water line) in which to bury the outside RECP edges. Place the first RECP at the downstream end of the channel. Place the end of the first RECP in the terminal trench and pin it at 1 foot intervals along the bottom of the trench.

Note: The RECP should be placed upside down in the trench with the roll on the downstream side of the trench.

Once ground and backfilled, the RECP is deployed by wrapping over the top of the trench and unrolling upstream. If the channel is wider than the provided rolls, place ends of adjacent rolls in the terminal trench, overlapping the adjacent rolls a minimum of 3 inches. Pin at 1 foot intervals, backfill, and compact. Unroll the RECP in the upstream direction until reaching the first intermediate trench. Fold the RECP back over itself, positioning the roll on the downstream side of the trench, and allowing the mat to conform to the trench.

Then pin the RECP into the trench to the bottom of the trench, backfill, and compact. Continue up the channel (unrolling over the top of the intermediate trench) repeating this step at other intermediate trenches, until reaching the upper terminal trench.

At the upper terminal trench, allow the RECP to conform to the trench, secure with pins or staples, backfill, compact and then bring the mat back over the top of the trench and over the existing mat (2 to 3 feet overlap on the downstream down-slope), and pin at 1 foot intervals across the RECP. When starting installation of a new roll, begin in a trench or doublelap mat of rolls a minimum of 1 foot with upstream RECP on top to prevent unrolling. Place the outside edges of the RECP(s) in longitudinal trenches, pin, backfill, and compact.

Anchoring Devices—11 gauge, at least 6 inches length by 1 inch width staples or 12 inch minimum length wooden stakes are recommended for anchoring the RECP to the ground.

Drive staples or pins so that the top of the staple or pin is flush with the ground surface. Anchor each RECP every 7 feet along its entire. Longitudinal overlaps must be sufficient to accommodate a row of anchors and uniform along the entire length of overlap and anchored every 3 feet along the overlap length. Roll ends may be spaced by overlapping 1 foot in the direction of water flow, with the upstream slope mat placed on top of the downstream down-slope RECP. This overlap should be anchored at 1 foot spacing across the RECP. When installing multiple width mats, be sure to overlap the factors, all factors seams and field overlaps should be similarly anchored.

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GAINEY ROAD BORROW SOURCE
GAINEY ROAD
CUMBERLAND COUNTY, NORTH CAROLINA

REVISIONS

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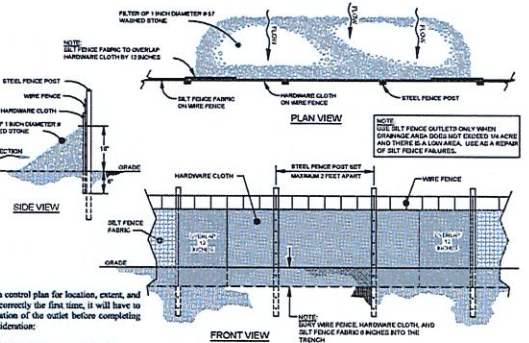
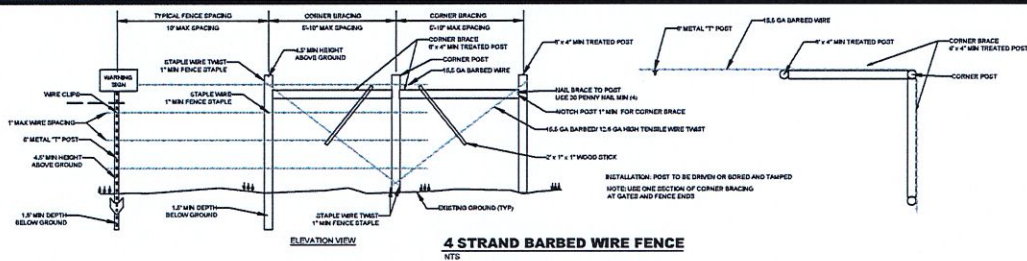
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Project Number: DCS JOB # 2020-21
Date: SEPT 2020

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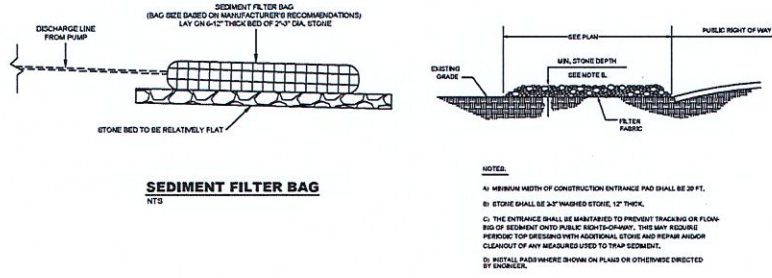
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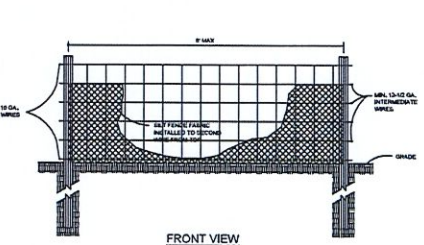
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Project Number: DGS-JOB # 2020-21	8EPT 2020



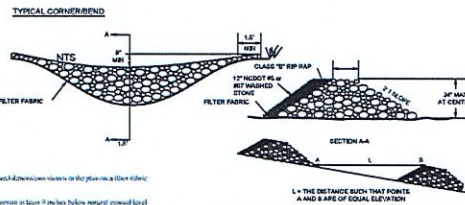
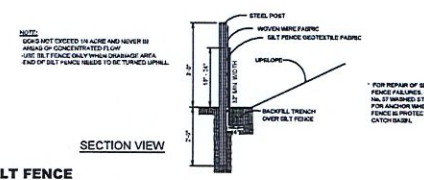
- Installation:** Refer to the approved erosion control plan for location, extent, and specifications. If silt fence is not installed correctly the first time, it will have to be reconstructed. Determine the exact location of the outlet before completing installation of the silt fence, taking into consideration:
1. Installation at the lowest point(s) in the fence where water will pond.
 2. Maximum allowable drainage area restriction for silt fence.
 3. Installation where the outlet is accessible for installation, maintenance and removal.
 4. Placement of the outlet so that water flowing through it will not create an erosion hazard below - avoid steep slopes below the outlet and areas without protective vegetation. Use slope drains if necessary.
- Maintenance:** Inspect sediment flows at least once a week and after each rainfall. Make any required repairs immediately. Should the fabric of a sediment fence collapse, tear, decompose or become ineffective, replace it promptly. Remove sediment deposits as necessary to provide adequate storage volume for the next rain and to reduce pressure on the fence. Take care to avoid undermining the fence during cleaning. Remove all fencing materials and unstable sediment deposits and bring the area to grade and stabilize it after the contributing drainage area has been properly established.



SILT FENCE
 NTS



- Installation Specifications:**
1. The base of both end posts should be at least one foot higher than the middle of the fence. Check with a level if necessary.
 2. Install posts 4 feet apart in critical areas and 6 feet apart in standard applications.
 3. Install posts 2 feet deep on the downstream side of the silt fence, and so close as possible to the fabric, enabling posts to support the fabric from upstream water pressure.
 4. Install posts with the capline facing away from the silt fabric.
 5. Attach the fabric to each post with three ties, all spaced within the top 8 inches of the fabric. Attach each tie diagonally 45 degrees from the fabric, with each post tie at least 1 inch vertically apart. Also, each tie should be pretensioned to bring on a post nipple when tightened to prevent sagging.
 6. Wrap approximately 6 inches of fabric around the end posts and secure with 3 ties.
 7. No more than 24 inches of a 36 inch fabric is allowed above ground level.
 8. The installation should be checked and corrected for any deviations before completion.
 9. Compaction is vitally important for effective results. Compact the soil immediately next to the silt fence fabric with the front wheel of the tractor, walk-behind roller or other equipment at 10 pounds per square inch. Compact the upstream side first, and then work side to side for a total of 3 top.
- Maintenance:** Inspect sediment flows at least once a week and after each rainfall. Make any required repairs immediately. Should the fabric of a sediment fence collapse, tear, decompose or become ineffective, replace it promptly. Remove sediment deposits as necessary to provide adequate storage volume for the next rain and to reduce pressure on the fence. Take care to avoid undermining the fence during cleaning. Remove all fencing materials and unstable sediment deposits and bring the area to grade and stabilize it after the contributing drainage area has been properly established.



- VEGETATIVE BERM (TYP)**
 NTS
- Construction Specifications:**
1. Place stone to the face and dimensions shown in the plan on a filter fabric foundation.
 2. Keep the correct stone size as listed in table below, natural ground level where the dam abuts the channel banks.
 3. Excavate area at least 1.5 feet beyond the downstream edge of the dam to keep water from cutting around the ends of the stone dam.
 4. Set spacing between dams to assure that the elevation at the top of the lowest dam is the same as the elevation of the upper dam.
 5. Place the channel after the lower check dam has been built so that it could cause erosion.
 6. Make sure that the channel width above the second upstream dam is stable.
 7. Ensure that other areas of the channel, such as return channels before the check dams, are not subject to damage or failure from overflow flows.

- Maintenance:** Inspect check dams and channels at least weekly and after each significant (1/2 inch or greater) rainfall event and repair immediately. Close up sediment, stone lines, or other debris that could clog the channel when needed. Analyze sedimentation and deposition above the check dam and erosion from high flows around the edges of the dam. Correct all damage immediately. If significant erosion occurs between dams, additional measures can be taken such as, installing a protective riprap layer in that portion of the channel (Section 4.3.1, Riprap and Paved Channels).

- SOIL:**
1. SEE PLAN SHEET GO FOR WIDTH HEIGHT DETERMINED BY FIVE SLOPES WIDTH INDICATED ON PLAN IS BOTTOM WIDTH.
 2. USED FOR TEMPORARY/PERMANENT SEDIMENT SCHEDULE ON SHEET C2.
 3. NATURAL VOLUNTARY VEGETATION SHALL REMAIN.
 4. BERM SLOPES SHALL BE AT SLOPE-LIKE SIDE SLOPES.

INSTALLATION 1. REMOVE ALL TREES BRUSH



4728 Carbonson Road
 Sanford, North Carolina 27730
 (919) 494-8729 phone
 raftingdesignservices@gmail.com

**GAINEY ROAD
 BORROW SOURCE
 GAINEY ROAD
 CUMBERLAND COUNTY, NORTH CAROLINA**

CALCULATIONS

REVISIONS

**AGENCY REVIEW ONLY
 NOT FOR CONSTRUCTION**

Scale: **MTS** Drawn by: **mtb**
 Sheet: **DESIGNED BY: MTS**
C11 of 11 Reviewed by: **MTS**
 Project Number: **DDA-JOB # 2020-21** Date: **SEPT 2020**

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Sediment Basin # 1

Calculate Flow - Rational Method
 10 in Storm
 $Q_{10} = CA$

C ₁	0.42	25-in Storm	C ₁	0.42
A ₁	7.30	$Q_{10} = CA$	A ₁	5.50
Q_{10}	54.71		Q_{10}	54.92
			A ₁	16.00

2-in Storm
 $Q_2 = CA$

C ₂	0.40		C ₂	0.40
A ₂	6.11		A ₂	16.00
Q_2	39.12			

Calculate Paved Surface Area

SA = $Q_{10} \times 2.25 \text{ (10%)}$

SA = 123.12300 ft²

Site Slope = 3.00 %
 Pond Depth = 5.00 ft

Basin Volume (Per SA)

Top	97	0	124	12418 ft ³
Bottom	67	4	124	2918 ft ³

Volume Paved

$V_p = 123.12300 \text{ cfs} \times 60 \text{ sec}$

$V_p = 7387.3800 \text{ ft}^3$

Volume Paved

$V_p = (\text{Top Area} + \text{Bottom Area}) \times \text{Depth}$

$V_p = 6520.00 \text{ ft}^3$

Minimum Storage

Calculate Detention Time

$Q_p = V / T_d$

$Q_p = 11096.00 \text{ cfs}$

$V_p = 6520.00 \text{ ft}^3$

$T_d = 5 \text{ 34.6min typ}$

Temperature Correction

Calculate Flow - Rational Method

10 in Storm

C ₁	0.42		C ₁	0.42
A ₁	7.30		A ₁	5.50
Q_{10}	54.71		Q_{10}	54.92
			A ₁	16.00

2-in Storm
 $Q_2 = CA$

C ₂	0.40		C ₂	0.40
A ₂	6.11		A ₂	16.00
Q_2	39.12			

Temperature Correction

Calculate Flow - Rational Method

10 in Storm

C ₁	0.42		C ₁	0.42
A ₁	7.30		A ₁	5.50
Q_{10}	54.71		Q_{10}	54.92
			A ₁	16.00

2-in Storm
 $Q_2 = CA$

C ₂	0.40		C ₂	0.40
A ₂	6.11		A ₂	16.00
Q_2	39.12			

Calculate Orifice Diameter

Diameter (21.30 in) = 1.775 ft

$Q = 123.12300 \text{ cfs}$

$h = 0.31$

$D = 1.24$

Use **6** " Sluiceway / 1.24 " Orifice

Private Sewer Slope

$L = Q_p / (1.48 \times K \times S^{0.54})$

$L = 437 \text{ ft}$

$L = 7 \text{ ft}$

$H = 1.00 \text{ ft}$

$W = 3.10 \text{ ft}$

Riser Sizing

Calculate W

$C = 1.48$

$Q = 2.62 \text{ FT}^3/\text{sec}$

Material: **CMF**

Use **24.00 "CMF" Riser** Per Permanent Pond

Barrel Sizing

$Q = CA \times 1.48 \times S^{0.54}$

$A = 3.19$

Angle $\theta = 1^\circ$

$L = 24.17 \text{ ft}$

Material: **CMF**

Use **24.00 "CMF" Barrel** Per Permanent Pond

Size Riser/Barrel Base

Calculate Base Area From on Riser

Cross sectional area

$A = 1.6 \text{ W}$

$A = 16.00 \text{ sf}$

Riser Volume

$V = A \times L$

$V = 16.00$

$V = 80.00$

$L = 5.00$

Elevation Force

$F = \rho \times Q \times V$

$F = 4992.00 \text{ lbs/ft}$

Concrete Base Sizing

(Concrete = 120 lbs/cf) - (weight of water = 62.4 lbs/cf) = 57.6 lbs/cf

Base Volume = 86.67 cf

Base Dimensions = 9.32 ft x 9.32 ft x 1.00 ft

Wet Storage

Per AutoCad Hydroflow Software

$L = 20.00 \text{ ft}$

$D = 0.89 \text{ ft}$

$Q_{10} = 54.96 \text{ cfs}$

Velocity = 2.82 ft/s

Wet Storage

Shear Calculation

$T = 0.55520 \text{ (lb/ft}^2)$

Required Liner = **Class A Rip Rap**

Proposed Liner = **Class A Rip Rap**

Barrel Outlet Protection

New York Method R.D.S. Manual

Diameter of Barrel = 24.00 "

Velocity = 7.5 ft/s

Zones = 2

Stone Diameter = Class B

EXHIBIT "G"

DRAFT SPECIAL USE PERMIT

Special Use Permit- Board of Adjustment

DRAFT

Ordinance Related Conditions

SUP-Borrow Source Operation in an A1 District

Pre- Permit Related:

1. The Cumberland County Fire Marshal's Office has reviewed the request and stated the following:
 - Ensure all fire department access requirements are met.
 - Submit building plans to include to scale site plan for review of new buildings.
 - Ensure emergency responder radio coverage is achieved.

If meeting these requirements revises the site plan in any way, a revised site plan is required for review by Current Planning. For questions related to this comment, please contact the Fire Marshal's Office at 910-321-6625.

2. Prior to the application for any permits, the following shall be provided to Current Planning:
 - a. Documentation from the North Carolina Department of Transportation that the public thoroughfare to which the borrow source operation has access has sufficient load carrying capacity to support the proposed traffic generated by the borrow source operation or that load limits are acceptable.
3. A recorded plat is required prior to permit application, see Plat-Related conditions below. [Sec. 4-8(b)(7), County Code]
4. Prior to permit application, the developer must remove the existing single-family residential structure from the site. This will require a demolition permit from Cumberland County Planning & Inspections.
5. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.
[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

6. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

Permit-Related:

7. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
8. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]

9. Landscaping must be provided in accordance with the approved Gainey Road Borrow Source Special Use Plan and Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:

- a. 17 large shade trees or 35 small ornamental trees within the front yard setback area along SR 2221 (Gainey Road)

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
- b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.

10. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00/\$50.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

[§ 136-18(29), NCGS]

11. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)

12. The County Health Department must approve water plans. Lots not served by public water system are required to be large enough and of such physical character to comply with the Health Department's minimum standards. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

13. A demolition permit must be obtained from Cumberland County prior to removal of the residential structure on the property. Developer Building final inspection for any structures constructed under a building permit application cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans. Development and use of the project site shall occur consistent with the Gainey Road Borrow Source Special Use Site Plan (attached.) (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

14. All use and development of the subject property shall occur consistent with the approved Gainey Road Borrow Source Special Use Site Plan, as provided is Exhibit "A". All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the A1 zoning district must be complied with, as applicable.
 15. Hours of operation for any borrow source operation shall be sunrise to sunset, Monday through Saturday, unless otherwise stated in the permit. *The applicant is requesting the hours of operation for this site be 7am-6pm Monday through Saturday.*
 16. While in transit, trucks are to use appropriate load covers, and water trucks or other means that may be necessary shall be utilized to prevent dust from leaving the borrow source operation.
 17. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.) (Art. XIII, County Zoning Ord.)
 18. "Gainey Road" must be labeled as "SR 2221 (Gainey Road)" on all future plans. (Sec. 2203, County Subdivision Ord.)
 19. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.)
 20. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
 21. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)
 22. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]
- Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.**
23. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
 24. A solid buffer must be provided and maintained along the rear property lines where this tract/site abuts residential zoning in accordance with the provisions of Section 1102 G, County Zoning Ordinance (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
- Note: Existing vegetation, or stabilized, vegetated earthen berms to serve as buffers and to prevent soil erosion shall be maintained between the borrow source operation and adjacent residences and public thoroughfares to screen the operation from the public.**
25. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
 26. All required off-street parking spaces are required to be a minimum of 9' x 20' and surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of one space

for each vehicle use directly in the conduct of the use, plus two additional spaces for each three employees on the largest shift is required for this development. (Art. XII, County Zoning Ord.)

27. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing. (Sec. 1403, County Zoning Ord.)
28. The Noise Regulations of the County Code Chpt. 9.5, Art. II are to be complied with.

Plat-Related:

29. The recombination plat must be drawn with solid property lines with metes/bounds and lot identifiers indicated.
30. "Gainey Road" must be labeled as "SR 2221 (Gainey Road)" on the recombination plat. (Section 2203.C & D, County Subdivision Ord.)
31. Any/All easements must be reflected on the recombination plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
32. The NC Department of Transportation (NCDOT) stamp must be affixed to the recombination plat prior to submission for final plat approval by the Current Planning Section.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

33. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)
34. The recombination plat must be submitted to the Current Planning Section for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statements:

35. Since this development does not have public water/sewer, the following disclosure statement is required to be provided on the recombination plat. (Section 2504 C, On-Site Water and/or Sewer Disclosure, County Subdivision and Development Ordinance):

"The individual lots in this development do not have public sewer and/or water services available, and no lots have been approved by the Health Department for on-site sewer services or been deemed acceptable for private wells at the date of this recording."

36. Since this development is located within the *Farmland Protection Area* as defined on the current Land Use Plan map, the following disclosure statement is required to be provided on the recombination plat (Section 2504 B, Farmland Protection Area Disclosure, County Subdivision and Development Ordinance):

"This property or neighboring property may be subject to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted farming and agricultural practices and operations, including but not limited to noise, odors, dust, the operation of any kind of machinery the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides, and pesticides."

37. All structures shall be shown on the recombination plat or the plat shall reflect the following statement (Section 2504 D, County Subdivision and Development Ordinance):

“Nonconforming structures have not been created by this recombination plat.”

Advisories:

38. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
39. A review of the data available to the Army Corp of Engineers indicates that jurisdictional waters are likely to be present on this property and therefore are likely to be impacted by the proposed project. However, without an official Jurisdictional Determination at the property, these findings cannot be confirmed.

A permit will be required for this project if construction will involve the temporary and/or permanent placement of fill in waters of the United States including wetlands. If a permit is required, the applicant will be required to avoid and minimize impacts to wetland/waters of the United States and may need to provide compensatory mitigation for unavoidable impacts.

40. The subject property sits on Gainey Road and is identified as a local road in the Metropolitan Transportation Plan. There are no constructions projects planned, and the subject property will have no impact on the Transportation Improvement Plan. For questions related to this comment, please contact Transportation Planning.
41. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
42. The developer’s subsequent application for permits upon receipt of these conditions of approval constitutes the developer’s understanding and acceptance of the conditions of approval for this development.
43. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

Other Relevant Conditions:

44. This conditional approval is contingent upon continued compliance with the County’s Subdivision and Development Ordinance and Zoning Ordinance.
45. The owner/developer be aware that every deed created for a lot being served by an on-site water and/or sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public water and/or sewer services are not available as of the date of the recording of this deed.
On-site sewer disposal systems must be approved by the County Health Department.”

Thank you for developing in Cumberland County!

If you need clarification of any conditions, please contact Billy Prutzman at 910-678-7603 or Betty Lynd at 910-678-7605 with the Current Planning Section; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Watershed Officer/Improvements:	Jeff Barnhill	678-7765
jbarnhill@co.cumberland.nc.us		
Current Planning Manager:	Betty Lynd	678-7605
blynd@co.cumberland.nc.us		
Subdivision/Site Plan/Plat	Jeff Barnhill	678-7765
jbarnhill@co.cumberland.nc.us		
Code Enforcement (Permits):	Scott Walters	321-6654
swalters@co.cumberland.nc.us		

County Building Inspections: mnaylo@co.cumberland.nc.us	Michael Naylor	321-6657	
Fire Marshal – Emergency Services klowther@co.cumberland.nc.us	Kevin Lowther	321-6625	
wbooth@co.cumberland.nc.us	Gene Booth	678-7641	
County Engineer’s Office: wdudley@co.cumberland.nc.us	Wayne Dudley	678-7636	
County Health Department: ftomas@co.cumberland.nc.us	Fred Thomas	433-3692	
US Postal Service jonathan.r.wallace@usps.gov	Jonathan R. Wallace	(704) 393-4412	
Corp of Engineers (wetlands): NCDEQ (E&S):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
US Fish & Wildlife Services	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
Location Services:	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Site-Specific Address: wphipps@co.cumberland.nc.us	Will Phipps	678-7666	
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning: kevans@co.cumberland.nc.us	Katrina Evans	678 7614	
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

EXHIBIT “A”

Gainey Road Bourow Source Special Use Site Plan

EXHIBIT "A" TO THE SPECIAL USE PERMIT

Gainey Road Borrow Source Special Use Site Plan

ATTACHMENTS:

Special Use Application

BOARD OF ADJUSTMENT

LOCATION OF PROPERTY: 3778 Gainey Road

OWNER: Murdock, LLC.

ADDRESS: 307 Buckingham Drive - Mebane, NC ZIP CODE: 27302

TELEPHONE: HOME (336) 213-2659 WORK (336) 213-2659

AGENT: Drafting and Design Services, Inc. - Michael Blakley

ADDRESS: 6728 Carbonton Road - Sanford, NC 27330

TELEPHONE: HOME _____ WORK (919) 499-8759

E-MAIL: draftinganddesign@gmail.com

**APPLICATION FOR A SPECIAL USE PERMIT
As required by the Zoning Ordinance**

A. Parcel Identification Number (PIN #) of subject property: Portion of 0454-83-2179
(also known as Tax ID Number or Property Tax ID) All of 0454-80-5682

B. Acreage: 33.69 Frontage: 863ft Gainey Rd Depth: 1637 max

C. Water Provider: private well

D. Septage Provider: private septic

E. Deed Book 7923, Page(s) 0112, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing use of property: Agriculture

G. It is proposed that the property will be put to the following use: (Describe proposed use/activity in detail including hours of operation, number of employees, signage, parking, landscaping, etc.) _____

The proposed use is a borrow source (sand and gravel). The propose project is for 33.69 ac site which includes an Borrow pit and a proposed plant site. The operation will employ 10 employees per shift. 10 parking spaces have been provided in the plant site area nex to the office/scale house. Landscaping per Cumberland County UDO has been provided along Gainey Road. The proposed operation will operate between the hours of 7 am to 6 pm Mondaythrough Friday.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

✓ Murdock, LLC - Michael Harris - Member /Manager

NAME OF OWNER(S) (PRINT OR TYPE)

307 Buckingham Drive - Mebane, NC 27302

ADDRESS OF OWNER(S)

mharris8@triad.rr.com

E-MAIL

(336) 213-2659

HOME TELEPHONE #

WORK TELEPHONE #

Drafting and Design Services, Inc. - Michael Blakley

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

6728 Carbonton Road - Sanford, NC 27330

ADDRESS OF AGENT, ATTORNEY, APPLICANT

✓ draftinganddesign@ymail.com

E-MAIL

(919) 499-8759

HOME TELEPHONE #

WORK TELEPHONE #

Michael Harris

SIGNATURE OF OWNER(S)

Michael Blakley

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

STATEMENT OF ACKNOWLEDGMENT

Regarding appearance before the Board of Adjustment, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

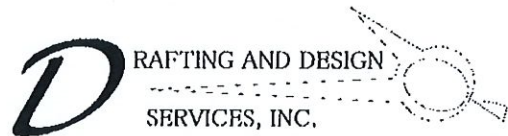
- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all argument for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to approve, deny, or defer the request for additional information to be provided;
- If the petitioner or their representative for this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case.
- If the board's decision is to deny the matter before them, the aggrieved party shall file a **"Notice to Intent to Appeal" with the Planning & Inspections Staff on the next business day following the meeting in which the board's decision was made final, or the next business day following receipt of the written copy thereof.**
- Any petition for review by Superior Court shall be file with the Clerk of Superior Court within 30 days after the decision of the board is made final.

Signed acknowledgment that the Planning and Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above.

SIGNATURE OF OWNER(S) *Michael Harris*

PRINTED NAME OF OWNER(S) Michael Harris - member/manager

DATE 9/15/2020



6728 CARBONTON ROAD
SANFORD, NC 27330
(919) 499-8759
DRAFTINGANDDESIGN@YMAIL.COM

Gainey Road Borrow Source -- Findings of Fact

1. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;

The proposed use will not materially endanger the public health or safety when located according to the plan. The proposed Borrow Source has been designed per State regulations to ensure no impacts to the surrounding community. The use is being permitted as a borrow pit that will result in a pond.

2. The use meets all required conditions and specifications;

The use has been designed to meet the required conditions of a Borrow Source per the Cumberland County Zoning Ordinance and NCDEQ DEMLR permit requirements. Vegetative buffers and landscape planting requirements have been designed to screen all onsite activities from Gainey Road and the adjacent properties.

3. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and

The proposed use will maintain the value of the adjoining properties and is a public necessity to provide materials for construction projects with in the county.

4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and is in general conformity with the Cumberland County's most recent Comprehensive Land Use Plan.

The proposed use is in harmony with the surrounding area due to the past use of adjoining properties as a Borrow Source also. The proposed use will operate in the same manner as past Borrow Sources as a borrow pit for construction materials. The most recent comprehensive land use plan calls for the project parcel and surrounding areas to be farm land and open space. The character of the proposed use can be specified as a farming type production.

Commencing at a iron pipe on Northwest corner of property at Gainey Road Right of Way;
thence bearing N 84-9-39 E a distance of 612.80 to a point;
thence bearing N 83-52-46 E a distance of 84.13 to a point;
thence bearing N 83-25-46 E a distance of 84.54 to a point;
thence bearing N 82-45-00 E a distance of 82.40 to a point;
thence bearing S 00-34-37 W a distance of 30.30 to a point;
thence bearing S 00-31-11 W a distance of 311.85 to a point;
thence bearing S 17-35-38 E a distance of 208.59 to a point;
thence bearing S 13-22-43 E a distance of 76.42 to a point;
thence bearing N77-42-27 E a distance of 106.40 to a point;
thence bearing S 04-35-24 E a distance of 909.68 to a point;
thence bearing S 70-36-23 W a distance of 417.65 to a point;
thence bearing S 75-21-5 W a distance of 1000.63 to a point;
thence bearing N 05-06-00 W a distance of 1637.25 to a point; to the point of beginning.

Said described parcel contains 33.69 acres, more or less, subject to any and all easements, reservations, restrictions and conveyances of record.